

COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of:

APPLICATION OF SOUTHERN INDIANA GAS &)	
ELECTRIC CO. D/B/A VECTREN ENERGY)	
DELIVERY OF INDIANA, INC. FOR A)	CASE NO.
CERTIFICATE TO CONSTRUCT AN ELECTRIC)	2010-00223
TRANSMISSION LINE FROM ITS A.B. BROWN)	
PLANT TO THE BIG RIVERS REID EHV)	
STATION)	

O R D E R

This matter arises upon the motion filed by applicant, Southern Indiana Gas & Electric Co. d/b/a Vectren Energy Delivery of Indiana, Inc. ("Vectren") for an extension of time to file information requests upon the city of Henderson, Henderson Municipal Power and Light ("HMP&L"), and Henderson Water Utility ("HWU") (collectively, "Intervenors"); to respond to information requests from Intervenors and Staff of the Kentucky State Board on Electric Generation and Transmission Siting ("Siting Board"); and for use constraint protection for location data of proposed critical utility structures. In support of its motion for additional time, Vectren states that "[c]ertain maps requested by the Board and the large amounts of data requested by Intervenors will require more than the allotted seven days set forth in the procedural schedule to prepare and submit to the Board."

The Siting Board has reviewed the information requests filed by Siting Board Staff and the Intervenors on August 23, 2010 and finds that the procedural schedule in this matter should be revised to provide sufficient time for Vectren to respond to those

information requests. The Siting Board also finds that Vectren should be allowed sufficient time to file information requests upon the Intervenors. In addition, the Siting Board finds that Staff should be given sufficient time to issue information requests to Intervenors and for Intervenors to file their responses thereto.

The Siting Board also finds that, pursuant to the motions filed by Intervenors requesting a hearing in this matter, an evidentiary hearing shall be scheduled for October 13, 2010, beginning at 10:00 a.m., Eastern Daylight Time, at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. In order to provide sufficient public notice of the hearing to the public, the Siting Board will require Vectren to publish notice of the October 13, 2010 hearing in a newspaper of general circulation in Henderson County and Webster County on or before September 29, 2010 and to file proof of publication of the notice on or before October 8, 2010. The Siting Board finds that, with the scheduling of a formal evidentiary hearing on October 13, 2010, the procedural schedule should be further modified to provide sufficient time for the parties to file witness testimony and witness lists after their exchange of information requests and responses is concluded.

Vectren also requests that that Intervenors be required to execute a use constraint agreement before Vectren should be required to provide Intervenors with a copy of Volume II of the Application, which contains maps showing the location of the proposed transmission line and appurtenances. The Siting Board finds that such maps are generally not subject to public disclosure pursuant to the Open Records Act because they contain information regarding the location and configuration of critical electrical system infrastructure. Therefore, it is appropriate to require that Intervenors

execute a use constraint agreement with Vectren before Vectren provides a copy of such maps to Intervenors in response to their August 23, 2010 information requests.

IT IS THEREFORE ORDERED that:

1. The motion of Vectren for an extension of time to file information requests upon the Intervenors and to respond to information requests from Intervenors and Siting Board Staff is granted.
2. Intervenors shall execute an appropriate use constraint agreement with Vectren prior to receiving any maps from Vectren that show the location and configuration of the proposed transmission line and its appurtenances or any other critical electrical system infrastructure.
3. A formal evidentiary hearing shall be held on October 13, 2010 at the offices of the Kentucky Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky, beginning at 10:00 a.m., Eastern Daylight Time.
4. The October 13, 2010 formal evidentiary hearing shall be recorded by video and court reporter.
5. All parties shall comply with the revised procedural schedule attached as an Appendix to this Order.

By the Kentucky State Board on Electric
Generation and Transmission Siting

ENTERED *M*
AUG 31 2010
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director
Public Service Commission
on behalf of the Kentucky State
Board on Electric Generation
and Transmission Siting

Case No. 2010-00223

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2010-00223 DATED **AUG 31 2010**

REVISED PROCEDURAL SCHEDULE

Application filed 07/15/10

Any motion to intervene shall be filed with the Siting Board no later than 08/16/10

Any request for a public hearing shall be filed no later than 08/16/10

Intervenors and Staff may file information requests to Vectren no later than..... 08/23/10

Vectren and Staff may file information requests to Intervenors no later than..... 09/01/10

Local Public Hearing at 5:30 p.m. Central Daylight Time, Henderson Fine
Arts Center, Henderson Community College, 2660 S. Green Street,
Henderson, Kentucky for the purpose of hearing public comments..... 09/02/10

Vectren's responses to information requests are due no later than 09/03/10
(Responses shall include the name of the person who prepared each
response and who will be available to testify at the hearing on that response.)

Intervenors' responses to information requests are due no later than 09/13/10
(Responses shall include the name of the person who prepared each
response and who will be available to testify at the hearing on that response.)

Parties shall file a list of witnesses for the formal evidentiary hearing,
together with a brief summary of their testimony, no later than 09/20/10

Parties shall file direct testimony, if any, no later than 09/28/10

Vectren shall publish notice of the formal evidentiary hearing in a
newspaper of general circulation in Henderson County and Webster
County no later than 09/29/10

Vectren shall file proof of publication of the notice of hearing no later than..... 10/08/10

Public Evidentiary Hearing at 10:00 a.m., Eastern Daylight Time,
at the offices of the Public Service Commission, 211 Sower Boulevard,
Frankfort, Kentucky, for the purpose of cross-examination of witnesses 10/13/10
(The evidentiary hearing may be canceled if the Siting Board determines that
an evidentiary hearing is not necessary to determine the issues in the case.)

Briefs, if any, shall be filed no later than To Be Determined

Decision due 11/12/10

Bob Amato
Energy and Environment Cabinet
500 Mero Street
Frankfort, KY 4061

Mary-James Young
Senior Regulatory Counsel
Vectren Corporation
One Vectren Square
Evansville, IN 47708

Honorable Jason R Bentley
Attorney at Law
McBrayer, McGinnis, Leslie & Kirkland PLLC
305 Ann Street
Suite 308
Frankfort, KY 40601

Tommy Chandler
218 Benjamin Terrace
Providence, KY 42450

William S Doty
President
Southern Indiana Gas & Electric Co.
One Vectren Square
Evansville, IN 47708

Ken Robinson
Cabinet for Economic Development
Old Capitol Annex
300 West Broadway
Frankfort, KY 40601

Honorable George L Seay, Jr.
Attorney at Law
Wyatt, Tarrant & Combs, LLP
250 West Main Street
Suite 1600
Lexington, KY 40507-1746

Sandy L Watkins
County Judge/Executive
Office of the County Judge/Executive
Courthouse - 20 N. Main
Henderson, KY 42420