

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO THE FUEL)
PROCUREMENT PRACTICES OF KENTUCKY) CASE NO. 9631
UTILITIES COMPANY)

O R D E R

On December 3, 1986, Don Wiggins filed a letter requesting that he be allowed to intervene in the above-styled proceedings. Also, he requested that he be permitted to introduce the Net Profit Margin Utility Rate Formula.

On December 15, 1986, Kentucky Utilities Company ("KU") filed a response wherein it argued that Mr. Wiggins should be granted limited intervention status rather than status as a full intervenor, and that the Profit Margin Utility Rate Formula is not relevant to any issue in this case.

Upon consideration of these filings, the Commission finds that:

1. Mr. Wiggins has not specifically requested to participate as a full intervenor as is required by 807 KAR 5:001, Section 3(8). Consequently, Mr. Wiggins should be granted status as a limited intervenor. For purposes of clarification, the Commission herein states that, under the above cited regulation, limited intervenors are allowed to fully participate in any hearing but they are not served with copies of documents filed in the record nor are they certified as a party for purposes of rehearing or judicial review.

2. The Net Profit Margin Utility Rate Formula has been presented to this Commission in prior cases and this formula relates to the earnings authorized for a utility. The subject of this proceeding is not to make a determination as to KU's authorized earnings, but is to determine whether its fuel procurement practices have been prudent. Therefore, such a formula is not relevant to this proceeding.

3. Prior to the convening of the evidentiary hearing in this case, the Commission will afford an opportunity for public comment. If Mr. Wiggins should so desire, he will be given an opportunity at that time to present a statement as to the Net Profit Margin Utility Rate Formula.

IT IS THEREFORE ORDERED that:

1. Don Wiggins be and hereby is granted limited intervention status.

2. The request of Mr. Wiggins that he be allowed to introduce the Net Profit Margin Utility Rate Formula as part of the evidence of record in this matter be and it hereby is denied.

Done at Frankfort, Kentucky, this 2nd day of March, 1987.

PUBLIC SERVICE COMMISSION

Richard D. Herman, Jr.
Chairman

[Signature]
Vice Chairman

Squire N. Williams, Jr.
Commissioner

ATTEST:

Executive Director