

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF KENTUCKY UTILITIES)
COMPANY TO ASSESS A SURCHARGE UNDER)
KRS 278.183 TO RECOVER COSTS OF)
COMPLIANCE WITH ENVIRONMENTAL) CASE NO. 93-465
REQUIREMENTS FOR COAL COMBUSTION)
WASTES AND BY-PRODUCTS)

O R D E R

Kentucky Utilities Company ("KU") has applied, pursuant to KRS 278.183, for an environmental surcharge to recover its costs of complying with the Federal Clean Air Act. KU proposes to make the surcharge effective on August 1, 1994.

After reviewing the application and being otherwise sufficiently advised, the Commission finds that:

1. Further proceedings are necessary to determine the reasonableness of the proposed environmental surcharge.
2. KRS 278.183 permits the use of an environmental surcharge only upon Commission approval or Commission failure to act within six months of its submission.
3. Since KU's surcharge relates to its prior authorization to construct a scrubber at Ghent Unit No. 1 in Case No. 92-005¹ and

¹ Case No. 92-005, Application of Kentucky Utilities Company for a Certificate of Convenience and Necessity to Construct a Scrubber on Unit No. 1 of its Ghent Generating Station.

its Integrated Resource Plan in Case No. 93-382,¹ the records of those cases should be incorporated herein by reference.

4. No later than February 18, 1994, KU should file 10 copies, with service on all parties of record, of the November 1993 Update of KU's compliance plan reassessment study referenced in Hewett's Direct Testimony at page 8.

IT IS THEREFORE ORDERED that:

1. KU shall not assess its proposed environmental surcharge until Commission approval or July 20, 1994, whichever occurs first.

2. The procedural schedule set forth in Appendix A to this Order shall be followed.

3. All requests for information and responses thereto shall be appropriately indexed. All responses shall include the name of the witness who will be responsible for responding to the questions related to the information provided, with copies to all parties of record and 10 copies to the Commission.

4. KU shall give notice of the hearing in accordance with 807 KAR 5:011, Section 8(5). At the time publication is requested, KU shall forward a duplicate of the notice and request to the Commission.

5. Motions for extensions of time with respect to the schedule herein shall be made in writing and shall be granted only upon a showing of good cause.

¹ Case No. 93-382, A Review Pursuant to 807 KAR 5:058 of the 1993 Integrated Resource Plan of Kentucky Utilities Company.

6. The records of Case Nos. 92-005 and No. 93-382 be and they hereby are incorporated herein by reference.

7. No later than February 18, 1994, KU shall file 10 copies, with service on all parties of record, of the November 1993 Update of KU's compliance plan reassessment study referenced in Hewett's Direct Testimony at page 8.

8. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

Done at Frankfort, Kentucky, this 14th day of February, 1994.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 93-465 DATED February 14, 1994

All requests for information to KU shall be served no
later than 03/04/94

KU shall serve responses to the requests
for information no later than 03/23/94

All supplemental requests for information to
KU shall be served no later than 04/06/94

KU shall serve responses to supplemental
requests for information no later than 04/15/94

Intervenor testimony, if any, in verified prepared
form shall be served no later than 04/29/94

All requests for information to intervenors
shall be served no later than 05/09/94

Intervenors shall serve responses to requests
for information no later than 05/18/94

Last day for KU to publish notice of hearing date. . . . 05/18/94

Public Hearing is to begin at 10:00 a.m., Eastern
Standard Time, in Hearing Room 1 of the Commission's
offices at 730 Schenkel Lane, Frankfort, Kentucky,
for the purpose of cross-examination of witnesses
of KU and intervenors 05/25/94

Parties may submit written briefs no later than 06/15/94