

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF THE UNION LIGHT, HEAT)
AND POWER COMPANY FOR AUTHORITY TO)
IMPLEMENT A TARIFF RIDER TO RECOVER COSTS)
ASSOCIATED WITH DEMAND SIDE MANAGEMENT) CASE NO. 94-222
PROGRAMS, OR IN THE ALTERNATIVE, DEFER)
THOSE COSTS UNTIL REVENUES ARE COLLECTED)
THAT INCLUDE THE ASSOCIATED COSTS)

O R D E R

On December 27, 1994, The Union Light, Heat and Power Company ("ULH&P") filed a motion to dismiss this case without prejudice.¹ In support of its motion, ULH&P expressed its commitment to continue to meet with customer representatives to resolve the issues which have been raised in this proceeding.² ULH&P indicates that it expects to file a new application reflecting "agreed-to" demand side management ("DSM") programs and cost recovery mechanisms at a later time.

Based on the motion and being advised, the Commission finds good cause to grant ULH&P's request. In light of our previous findings regarding the lack of detail in both ULH&P's application and in the status reports on its meetings with customer

¹ ULH&P had previously moved for a stay of the proceedings in this case while it met with intervenors to discuss issues pertinent to the case. That motion was granted in our Order dated August 1, 1994.

² The Commission previously questioned whether this application should be withdrawn and refiled when various issues had been resolved between ULH&P and customer representatives with which it has been meeting. See our Order dated November 22, 1994.

representatives there appears to be little need to continue this proceeding at the present time.

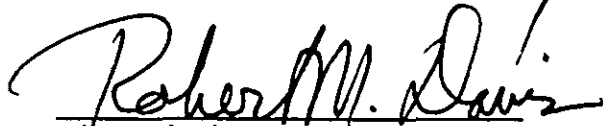
The Commission urges ULH&P to move quickly in its determination of cost-effective DSM programs to be proposed in Kentucky so that a new application can be filed within the next six months. Hopefully, ULH&P and its customer representatives can reach a consensus on DSM issues within that time. In any event, a number of DSM programs have been implemented in the Ohio service territory of ULH&P's parent, Cincinnati Gas and Electric Company, and there appears to be no valid reason to further delay the review and implementation of cost-effective DSM programs in Kentucky.

IT IS THEREFORE ORDERED that ULH&P's motion shall be granted and that this case be and it hereby is dismissed without prejudice.

Done at Frankfort, Kentucky, this 20th day of January, 1995.


PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director