

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NOTICE OF PROPOSED GENERAL RATE)
ADJUSTMENT BY BIG RIVERS ELECTRIC) CASE NO. 96-506
CORPORATION)

O R D E R

On October 24, 1996, Big Rivers Electric Corporation ("Big Rivers"), pursuant to Administrative Regulation 807 KAR 5:001, Section 10(2),¹ provided written notice to this Commission of its intent to file a rate application. Big Rivers subsequently advised the Commission on January 31, 1997 that a rate case would be filed no earlier than February 19, 1997.

Almost 6 months have passed since Big Rivers provided its original notice, but no rate application has yet been filed. The purpose of Administrative 807 KAR 5:001, Section 10(2), is to ensure prompt and expeditious review of the rate applications of large utilities by allowing the Commission to prepare for immediate review of these applications upon their filing. Permitting long and indeterminate delays between the filing

¹ 807 KAR 5:001, Section 10(2), states:

Notice of intent. Utilities with gross annual revenues greater than \$1,000,000 shall file with the commission a written notice of intent to file a rate application at least four (4) weeks prior to filing their application. The notice of intent shall state whether the rate application will be supported by a historical test period or a fully forecasted test period. This notice shall be served upon the Attorney General, Utility Intervention and Rate Division.

of a notice of intent and the actual filing of the rate application frustrates the purpose of this regulation.

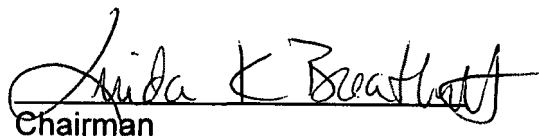
Accordingly, the Commission finds that this docket should be closed for lack of prosecution and that Big Rivers' notice of intent of filing is insufficient for any future rate application. In the event that Big Rivers decides to proceed with the filing of a rate application, such filing should be preceded by a new notice of intent consistent with Administrative Regulation 807 KAR 5:001, Section 10(2).

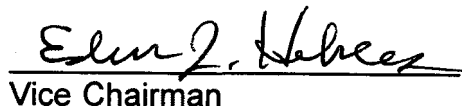
IT IS THEREFORE ORDERED that:

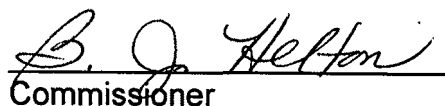
1. Big Rivers' notice of intent and this case are dismissed for lack of prosecution.
2. Big Rivers shall comply with 807 KAR 5:001, Section 10(2), prior to filing a rate application with the Commission.

Done at Frankfort, Kentucky, this 17th day of April, 1997.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director