

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION OF LOUISVILLE)
GAS AND ELECTRIC COMPANY S)
PREPAID GAS AND ELECTRIC SERVICE) CASE NO. 2002-00232

O R D E R

On December 18, 2002, Metro Human Needs Alliance and People Organized and Working for Energy Reform (MHNA/POWER) filed a motion requesting revisions to the procedural schedule to provide for sur-rebuttal testimony, a hearing date, and a briefing schedule. The motion alleges that the rebuttal testimony filed by Louisville Gas and Electric Company (LG&E) raises issues not previously presented, proposes a substantial expansion of the prepaid service, and presents a detailed cost/benefit analysis. Kentucky Association for Community Action and Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties filed a response in support of the motion, while LG&E filed a response in opposition. MHNA/POWER also filed a reply to LG&E s response.

Based on a review of the motion and the other pleadings, the Commission finds that LG&E has submitted the testimony of a new witness on rebuttal, and that witness presents for the first time a detailed cost/benefit analysis of the prepaid meter program. Under these circumstances, the intervenors should be afforded an opportunity to conduct additional discovery on the LG&E rebuttal testimony and to submit sur-rebuttal

testimony. In recognition that LG&E bears the burden of proof in this proceeding, it should also be afforded an opportunity to respond to any intervenor's sur-rebuttal testimony. Although the Commission had previously scheduled a hearing in this case for January 28, 2003, that date will now need to be changed due to the revisions to the procedural schedule set forth herein. In addition, a briefing schedule will be included in a future Commission Order.

IT IS THEREFORE ORDERED that:

1. The motion of MHNA/POWER to revise the procedural schedule to allow for the filing of sur-rebuttal testimony is granted.
2. The public hearing previously scheduled on January 28, 2003 is cancelled, to be rescheduled by further Order of the Commission.
3. A briefing schedule shall be established by a future Commission Order.
4. The procedural schedule set forth in Appendix A, attached hereto and incorporated herein, shall be followed in this case.

Done at Frankfort, Kentucky, this 3rd day of January, 2003.

By the Commission

ATTEST:

Deputy W. H. Fowler
Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2002-00232 DATED JANUARY 3, 2003

Supplemental requests for information to LG&E
relating to the rebuttal testimony shall be filed
no later than 1/10/2003

LG&E shall file its responses to supplemental
requests for information relating to rebuttal
testimony no later than 1/17/2003

Intervenors sur-rebuttal testimony, if any, shall be
filed in verified prepared form no later than 1/29/2003

LG&E s testimony in response to the sur-rebuttal
testimony shall be filed no later than 2/07/2003

Public Hearing, if necessary, for the purpose
of cross-examination of witnesses To be scheduled