

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

O R D E R

On January 21, 2003, Louisville Gas and Electric Company ( LG&E ) filed a motion requesting to reschedule from January 29, 2003 until February 11, 2003 the previously scheduled hearing on its petition for confidential treatment of its contract with the manufacturer of the meters to be utilized in its prepaid service program. The basis for the motion is that the employee of the meter manufacturer that has prefiled testimony resides in England and has a conflict on January 29, 2003. Based on the motion and finding good cause, the Commission will reschedule the hearing on the issue of confidentiality to February 11, 2003.

Also pending is a motion filed on January 23, 2003 by Metro Human Needs Alliance and People Organized and Working For Energy Reform ( MHNA and POWER ) requesting to delay the procedural schedule so that intervenors will not have to file sur-rebuttal testimony on January 29, 2003. A delay is requested until after the issue of LG&E s request for confidentiality of its meter contract has been resolved. The motion also requests the Commission to hold this case in abeyance for an indefinite period of time until LG&E has fully tested the new meters to be utilized in its prepaid service program. In considering this motion, the Commission recognizes that LG&E s pending

tariff was filed on May 31, 2002 and, pursuant to KRS 278.190, the 10-month statutory review period will expire on March 28, 2003. In order to avoid having the program approved without concluding an investigation, the Commission finds that holding this case in abeyance while LG&E tests its new meters is not reasonable. Further, the Commission finds that the motion fails to provide good cause to support its request to delay filing sur-rebuttal testimony until resolution of the confidentiality issue. To the extent that intervenor testimony includes references to material that LG&E has requested to keep confidential, that testimony can similarly be held confidential, subject to later public disclosure if the Commission denies LG&E's petition for confidential protection.

IT IS THEREFORE ORDERED that:

1. The January 29, 2003 hearing on the issue of confidentiality is rescheduled to February 11, 2003 at 1:00 p.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.
2. The motion filed by MHNA and POWER to hold the procedural schedule in abeyance and to delay the filing of sur-rebuttal testimony is denied.

Done at Frankfort, Kentucky, this 28<sup>th</sup> day of January, 2003.

By the Commission

ATTEST:

  
Executive Director