

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN ADJUSTMENT OF THE GAS AND ELECTRIC)	
RATES, TERMS, AND CONDITIONS OF)	CASE NO.
LOUISVILLE GAS AND ELECTRIC COMPANY)	2003-00433

O R D E R

On December 29, 2003, Louisville Gas and Electric Company ("LG&E") submitted for filing an application for an adjustment of its gas and electric rates based on a historic test period. The application was administratively determined to satisfy the minimum filing requirements and was considered filed as of December 29, 2003.

LG&E selected February 1, 2004 as the effective date of its proposed rates. Based on a review of LG&E's rate application, the Commission finds that an investigation will be necessary to determine the reasonableness of the proposed rates and that investigation cannot be concluded by February 1, 2004. Therefore, pursuant to KRS 278.190(2), LG&E's proposed rates should be suspended for the maximum time allowed and a procedural schedule should be established to conduct the investigation.

The Commission expects the parties to use their best efforts to informally resolve any discovery disputes or requests for extensions of time. Any such informal resolution should be promptly reduced to writing and filed with the Commission and all parties of record. Absent informal resolution, an objection or motion should be filed at least 4 business days prior to the established due date. If this deadline is not met, the filing party should include in the written objection or motion a full and complete explanation of such failure.

IT IS THEREFORE ORDERED that:

1. LG&E's proposed rates are suspended for 5 months, up to and including June 30, 2004.
2. The procedural schedule set forth in Appendix A, which is attached hereto and incorporated herein, shall be followed.
3. All requests for information and responses thereto shall be appropriately indexed and 8 copies shall be filed with the Commission, with copies to all parties of record. Any request for information by letter from the Commission Staff shall be responded to as if set forth in a Commission Order. All responses shall include the name of the witness who will be responsible for responding to questions related to the information provided.
4. Any party filing testimony shall file an original and 11 copies.
5. LG&E shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:011, Section 8(5). At the time publication is requested, LG&E shall forward a duplicate of the notice and request to the Commission.
6. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.
7. Any objections or motions relating to discovery or procedural dates shall be filed upon 4 business days' notice or the filing party shall explain, in writing, why such notice was not possible.
8. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

Done at Frankfort, Kentucky, this 14th day of January, 2004.

ATTEST:

A handwritten signature in black ink, appearing to read "Charles H. [unclear]", written over a horizontal line.

Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2003-00433 DATED January 14, 2004

LG&E's responses to the Commission Staff's December 19, 2003 data request shall be filed no later than.....	01/16/04
All initial requests for information to LG&E shall be filed no later than.....	02/03/04
LG&E shall file responses to initial requests for information no later than.....	02/17/04
All supplemental requests for information to LG&E shall be filed no later than	03/01/04
LG&E shall file responses to supplemental requests for information no later than	03/11/04
Intervenor testimony, if any, in verified prepared form shall be filed no later than	03/23/04
All requests for information to Intervenors shall be filed no later than.....	04/06/04
Intervenors shall file responses to requests for information no later than.....	04/19/04
LG&E shall file, in verified form, its rebuttal testimony no later than	04/26/04
Last day for LG&E to publish notice of hearing	04/27/04
Public Hearing is to begin at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, for the purpose of cross-examination of witnesses of LG&E and Intervenors.....	05/04/04
Simultaneous Briefs, if any, shall be filed by	06/04/04