

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE UNION LIGHT, HEAT AND POWER)	CASE NO.
COMPANY'S INTEGRATED RESOURCE PLAN)	2004-00014

O R D E R

On January 12, 2004, The Union Light, Heat and Power Company ("ULH&P") filed a request for waivers of certain filing requirements for Integrated Resource Plans ("IRP") pursuant to 807 KAR 5:058, Section 3. Therein, ULH&P states that it is required to file a stand-alone IRP by June 30, 2004, and that certain aspects of 807 KAR 5:058 will not apply to its IRP filing. It asks for waivers of the following Commission IRP filing requirements.

ULH&P seeks a waiver of the requirement included in 807 KAR 5:058, Section 6, which requires a summary of significant changes that have occurred since the filing of its previous IRP in 1999. That IRP addressed the integrated Cinergy system, since ULH&P owned no generation at that time and was served by its parent, The Cincinnati Gas and Electric Company ("CG&E"), via a full requirements purchase power contract. Since then, ULH&P has received preliminary Commission approval to acquire roughly 1,100 Mw of generation capacity from CG&E to meet its future power requirements. Upon completion of that acquisition, ULH&P's purchase power contract will terminate.

ULH&P also seeks a waiver of the IRP filing requirements in 807 KAR 5:058, Sections 7(5) and 8(3) to the extent they require the filing of information related to the integrated Cinergy system. Since it is filing a stand-alone IRP, ULH&P reasons that this

integrated system information will not provide the Commission with useful information relative to its ability to serve its retail load after acquiring the CG&E generation. It also states that providing information for Cinergy's integrated system would be unreasonably time-consuming and burdensome, particularly since CG&E, under Ohio's electric restructuring, no longer prepares an IRP addressing its generation capabilities or plans.

The Commission, after considering ULH&P's waiver request and being otherwise sufficiently advised, finds that the request for waivers from the requirements embodied in Sections 6, 7(5) and 8(3) of 807 KAR 5:058 are reasonable and should be granted as requested. However, we also find that granting these waivers will not prevent the Commission or its Staff from obtaining information of the type contained in these sections during the discovery phase of the proceeding in which ULH&P's stand-alone IRP is reviewed if it is determined that such information is relevant to that review.

IT IS THEREFORE ORDERED that ULH&P's request for waivers of complying with certain of the IRP filing requirements embodied in Sections 6, 7(5) and 8(3) of 807 KAR 5:058, as described in its January 12, 2004 waiver request, is granted for the stand-alone IRP it is required to file by June 30, 2004.

Done at Frankfort, Kentucky, this 13th day of February, 2004.

By the Commission

ATTEST:


Executive Director