

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CITIPOWER,)
LLC FOR APPROVAL OF) CASE NO. 2004-00444
REORGANIZATION PROPOSAL)

ORDER

Citipower, LLC ("Citipower") has applied to the Commission for authority to transfer stock to effect its proposed reorganization. Commission Staff propounded data requests to Citipower on January 26, 2005, to which Citipower's response was due by February 2, 2005. Citipower has moved for a 20-day extension of time to respond to those requests.

Pursuant to KRS 278.020(5), the Commission must approve or reject the application within 60 days of its filing; therefore, the application in this proceeding must be approved or rejected by the Commission no later than February 14, 2005. However, the Commission may, for good cause shown, extend the time for approval an additional 60 days.

After reviewing Citipower's motion and being otherwise sufficiently advised, the Commission finds good cause to grant Citipower's motion. However, granting Citipower's motion will extend the time beyond the 60-day period in which the Commission must make its decision regarding the application. As a result, the Commission finds that good cause exists to continue the application for an additional 60 days.

IT IS THEREFORE ORDERED that:

1. Citipower's motion for an extension of time is granted, and its response to Commission Staff's January 26, 2005 request for information is now due by February 22, 2005.
2. Citipower's application is continued an additional 60 days to and including April 14, 2005.

Done at Frankfort, Kentucky, this 10th day of February, 2005.

By the Commission

ATTEST:



Executive Director