

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ADJUSTMENT OF RATES OF)
CUMBERLAND VALLEY ELECTRIC, INC.) CASE NO.
2005-00187

ORDER

On March 30, 2006, the Attorney General (“AG”) moved the Commission to issue subpoenas for four individuals, namely, Joe Carroll, Drucilla Foley, Robbie Tolliver, and Teresa Williams, to appear and testify at the hearing scheduled in this proceeding on April 11, 2006. Cumberland Valley Electric, Inc. (“Cumberland Valley”) filed an objection to the AG’s motion for subpoenas stating that extensive testimony of Joe Carroll and Robbie Tolliver was taken in this proceeding by the AG on December 19, 2005 and that “little or none” of their testimony is relevant to this case pursuant to the Commission’s Order of March 14, 2006. Cumberland Valley further states that it does not believe Drucilla Foley or Teresa Williams has any information concerning the rates at issue in this proceeding. The AG filed a reply to Cumberland Valley’s objections on April 3, 2006, arguing that he plans to solicit information from these witnesses to develop his case and that he should be afforded the opportunity to call these witnesses. He states that he plans to move the Commission for a complete financial, operational, and management audit of Cumberland Valley.

Having considered the AG’s motion for issuance of subpoenas, Cumberland Valley’s objection thereto, and the AG’s reply, the Commission finds that the AG’s

motion should be granted and the requested subpoenas issued. However, the Commission reminds the parties that, pursuant to our March 14, 2006 Order, all testimony and cross-examination at the hearing will be limited to issues relating to the rates being established herein, i.e., test-year revenues and expenses and adjustments thereto. The Commission also finds that the AG should file a summary of the testimony he expects each of the subpoenaed witnesses to provide at the hearing.

IT IS HEREBY ORDERED that:

1. The AG's motion for issuance of subpoenas is granted.
2. The subpoenas shall be issued as of the date of this Order and shall be obtained by the AG from the Executive Director of the Commission.
3. The AG shall be responsible for serving the subpoenas.
4. On or before April 7, 2006, the AG shall file a summary of the testimony he expects Joe Carroll, Drucilla Foley, Robbie Tolliver, and Teresa Williams to provide at the scheduled hearing.

Done at Frankfort, Kentucky, this 4th day of April, 2006.

By the Commission

ATTEST:



Executive Director