

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF INTER-COUNTY ENERGY)	
COOPERATIVE FOR A CERTIFICATE OF)	
CONVENIENCE AND NECESSITY PURSUANT)	
TO KRS 278.020(1) AND 807 KAR 5:001,)	CASE NO.
SECTION 9 AND RELATED SECTIONS,)	2009-00143
AUTHORIZING CERTAIN PROPOSED)	
CONSTRUCTION IDENTIFIED AS THE 2009-)	
2012 CONSTRUCTION WORK PLAN)	

THIRD DATA REQUEST OF COMMISSION STAFF
TO INTER-COUNTY ENERGY COOPERATIVE

Pursuant to 807 KAR 5:001, Inter-County Energy Cooperative (“Inter-County”) is to file with the Commission the original and seven copies of the following information, with a copy to all parties of record. The information requested herein is due on or before December 1, 2009. Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person’s knowledge, information, and belief formed after a reasonable inquiry.

Inter-County shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which Inter-County fails or refuses to furnish all or part of the requested information, Inter-County shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations.

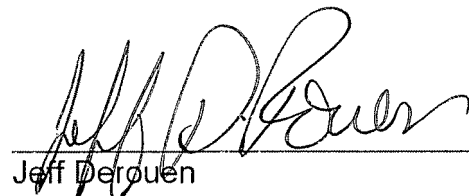
1. In its response to question 1.b of the Commission Staff's second data request ("Staff's second request"), Inter-County states that:

Attached is a spreadsheet labeled "Exhibit C", which details the materials that would be involved in the installation of both the Aclara and Landis+Gyr systems. Also attached, labeled "Exhibit D", are copies of the information provided by the vendors. Due to a confidentiality agreement signed with Landis+Gyr/Hunt system and emails with confidentiality disclosures, some items or information has [sic] been omitted.

Provide the cost information which was omitted from Inter-County's response to Staff's second data request, question 1.b. If Inter-County or the vendors claim that such information is confidential pursuant to KRS 61.878, Inter-County or the vendors shall submit a petition for confidentiality to the Commission in accordance with the provisions of 807 KAR 5:001, Section 7. However, pursuant to subsection (5) of that regulation, no

party to a Commission case can decline to respond to a request for discovery on grounds of confidentiality.

2. Refer to the attached e-mail dated November 5, 2009 from Inter-County to HD Supply which states, in part: “[t]his work plan was submitted at the first of 09 and the construction work has already begun.” Explain in detail which projects in Inter-County’s 2009-2012 construction work plan are already under construction, when construction started on each project, and the percentage of project cost already committed for each project.



Jeff Derouen
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

DATED NOV 19 2009

cc: All parties

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2009-00143 DATED **NOV 19 2009**

Bertelson, Rick (PSC)

From: David Phelps [davidp@intercountyenergy.net]
Sent: Monday, November 09, 2009 8:57 AM
To: Jim Jacobus
Subject: PSC AMR pricing

Here is the request and reply from Aclara/TWACs.

David Phelps

From: Stasalovich, Jessica L [HDS] [mailto:Jessica.Stasalovich@hdsupply.com]
Sent: Friday, November 06, 2009 4:42 PM
To: David Phelps
Subject: RE: AMR

David-

After getting with the folks from Aclara, we would like the PSC to contact Aclara should they have any questions regarding pricing of the system. The information that was distributed to Intercounty is confidential material.

Let me know if you should have any further questions. Sorry I couldn't be of more help.

Have a great weekend,
-Jess

Jessica (Jess Stash) Stasalovich
HD Supply-Utilities

Cell: 859/351-7166
Email: Jessica.Stasalovich@hdsupply.com

One Team Driving Customer Success and Value Creation

CONFIDENTIALITY NOTICE: This message is for intended addressee(s) only and may contain confidential, proprietary or privileged information, exempt from disclosure, and subject to terms at: <http://hdsupply.com/email/>.

From: David Phelps [mailto:davidp@intercountyenergy.net]
Sent: Thursday, November 05, 2009 4:08 PM
To: Stasalovich, Jessica L [HDS]
Cc: Marvin Graham
Subject: AMR

Hey Jess,

I recently had a list of questions from the PSC of Ky, regarding our AMR decision. In my answers to them, I presented cost figures as a percentage of base cost. For example, if they asked me about in-home display capability in the meter or module, I responded with, it would be 120% of the base meter cost without providing them any specific pricing, including any base costs.

However, they have come back to us, through our attorney, insisting that we provide them with the manufacturer's quoted prices. Stating that the information will not be available to the public and only used for their and only their internal use.

11/17/2009

The reason that the PSC is involved with this is that the AMR is part of our work plan and though the work plan is used for obtaining RUS funding, the PSC required us to submit the work plan for their approval. This work plan was submitted at the first of 09 and the construction work has already begun.

Please let me know what you, HD Supply, and Aclara will allow us to share.

Thanks,
David Phelps P.E. 19860
System Engineer
Inter County Energy
Cell (859) 516-3314

Honorable James William Barnett
Attorney at Law
Sheehan, Barnett, Hays, Dean & Pennington,
114 South Fourth Street
P.O. Box 1517
Danville, KY 40423-1517