

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENERGY CORP. FILING OF RETAIL SERVICE)
AGREEMENT TO SOUTHWIRE COMPANY AND) CASE NO.
WHOLESALE SERVICE AGREEMENT WITH BIG) 2009-00186
RIVERS ELECTRIC CORPORATION)

ORDER

On April 24, 2009, Kenergy Corp. ("Kenergy") made a tariff filing consisting of an unexecuted Agreement for Retail Service to Southwire Company ("Southwire") and an unexecuted Agreement for Wholesale Service with Big Rivers Electric Corporation ("Big Rivers"). Kenergy's cover letter requested that the 30-day statutory notice period set forth in KRS 278.180(1) be shortened to 20 days.

By Order dated May 15, 2009 the Commission denied Kenergy's request to shorten the statutory notice period to 20 days based on a finding that the as-filed agreement for service to Southwire contained provisions that had not been agreed to by the parties. Thus, the 30-day notice period set forth in KRS 278.180(1) is applicable and that period runs through May 23, 2009. That Order also scheduled an informal conference to discuss the provisions of the Southwire service agreement.

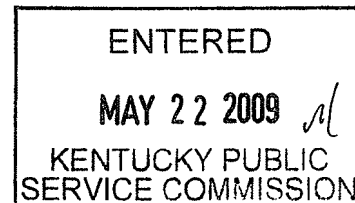
Based on a review of Kenergy's service agreements with Southwire and Big Rivers, the Commission finds that an investigation will be necessary to determine the reasonableness of the service agreements and that investigation cannot be concluded

by May 23, 2009. Therefore, pursuant to KRS 278.190(2), the Commission will suspend Kenergy's service agreements with Southwire and Big Rivers for 5 months. The Commission expects its investigation of these service agreements to be conducted on an expedited basis.

IT IS THEREFORE ORDERED that:

1. Kenergy's service agreements with Southwire and Big Rivers are suspended for 5 months from May 24, 2009 up to and including October 23, 2009.
2. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission



ATTEST:



Executive Director

Honorable Frank N King, Jr.
Attorney at Law
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