## COMMONWEALTH OF KENTUCKY

## BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES	)	
COMPANY FOR A CERTIFICATE OF PUBLIC	)	CASE NO.
CONVENIENCE AND NECESSITY AND	)	2009-00197
APPROVAL OF ITS 2009 COMPLIANCE PLAN	)	
FOR RECOVERY BY ENVIRONMENTAL	)	
SURCHARGE	)	

## ORDER

Pending before the Commission is a Motion filed by Kentucky Utilities Company ("KU") requesting a deviation, pursuant to 807 KAR 5:011, Section 14, from the requirement that newspaper notice of the November 3, 2009 hearing be published not less than seven days prior thereto. KU states that it is required to publish notice of the hearing in 95 newspapers throughout its service territory, and that, with the exception of weekly papers published on Wednesdays, all publications will be done before or on the day of the hearing, but not seven days before the hearing. KU further states that it has posted notice of the hearing on its website, and requests that the hearing scheduled on November 3, 2009 be held and that an additional hearing be scheduled for the purpose of receiving public comment on the issues raised in KU's application.

The Commission, having heard oral argument on the Motion at the hearing held on November 3, 2009, granted the Motion based on a finding of good cause and directed that a further hearing be held on December 1, 2009 for purposes of receiving public comment.

IT IS THEREFORE ORDERED that a hearing shall be held on December 1, 2009 at 9:00 a.m., Eastern Standard Time, at the Commission's offices in Frankfort, Kentucky for the purpose of receiving public comment on KU's pending application for the issuance of Certificates of Public Convenience and Necessity and the approval of a revised environmental compliance plan.

By the Commission

**ENTERED** 

NOV 16 2009 V

KENTUCKY PUBLIC SERVICE COMMISSION

ATTEST:

Executive Director

Lonnie E Bellar E.ON U.S. LLC 220 West Main Street Louisville, KY 40202

Robert M Conroy Director, Rates Kentucky Utilities Company 220 West Main Street P. O. Box 32010 Louisville, KY 40202

Honorable Michael L Kurtz Attorney at Law Boehm, Kurtz & Lowry 36 East Seventh Street Suite 1510 Cincinnati, OH 45202

Honorable Kendrick R Riggs Attorney at Law Stoll Keenon Ogden, PLLC 2000 PNC Plaza 500 W Jefferson Street Louisville, KY 40202-2828