

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BIG RIVERS ELECTRIC	)	CASE NO.
CORPORATION FOR APPROVAL TO ISSUE	)	2009-00441
EVIDENCES OF INDEBTEDNESS	)	

FIRST DATA REQUEST OF COMMISSION STAFF  
TO BIG RIVERS ELECTRIC CORPORATION

Big Rivers Electric Corporation ("Big Rivers"), pursuant to 807 KAR 5:001, is to file with the Commission the original and eight copies of the following information, with a copy to all parties of record. The information requested herein is due no later than January 5, 2010. 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 the 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.

Big Rivers 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

Big Rivers fails or refuses to furnish all or part of the requested information, it shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall 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. Refer to paragraph 5 on page 3 of Big Rivers' November 13, 2009 application ("the application"). Provide a definition or description of the term "Dutch auctions."

2. Refer to the latter portion of paragraph 7 on page 5 of the application.
  - a. Describe, generally, the ways in which Big Rivers' credit might be enhanced.
  - b. Explain whether delivery of a guaranty as described in paragraph 10 of the application is considered an enhancement of Big Rivers' credit.

3. Refer to page 5 of the application at lines 10-15. The application states that, based upon estimates provided by Goldman Sachs, the interest rates on the 2010A Bonds would be in the range of 6.75 and 7.25 percent annually, assuming Big Rivers' credit is unenhanced. Explain whether Goldman Sachs provided an estimate of what the interest rates would be for the 2010A Bonds if Big Rivers' credit was enhanced.

4. Refer to page 6 of the application at lines 19-20. The application provides that the National Rural Utility Cooperative Finance Corporation (“CFC”) Guaranty “would lower the net effective interest rate on the 2010A Bond to a range of 6.4% to 6.9%.” Explain whether this reduction in the net effective interest rate assumes Big Rivers’ credit to be unenhanced.

5. Refer to Paragraph 10.e. on page 10 of the application. When does Big Rivers expect to receive a final commitment from CFC on the guaranty arrangements described in paragraph 10?

6. Refer to page 6, paragraph 1.r. of the draft “Letter of Representations” at Exhibit 12 of the application. Provide a detailed explanation of the bracketed statement (“We will need to discuss an additional rep re: the enforceability of Smelter Contracts”) and the status of Big Rivers’ efforts to make such a representation regarding the Smelter Contracts.

7. Refer to paragraph 2 of the Ambac Assurance Corporation letter agreement filed as Exhibit 15 of the application. This paragraph subjects Big Rivers to potential financial penalties if it does not consummate its proposed refunding of the County of Ohio, Kentucky, County Pollution Control Refunding Revenue Bonds Series 2001A (“2001A Bonds”) within two months of the ending date of the appeal period for a Commission Order approving the proposed refund. Assuming that the Commission approves the proposed refunding, provide an outline and timeline of the actions Big Rivers expects to undertake, subsequent to receiving Commission approval, in order to consummate that refunding.



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DATED: DEC 17 2009

cc: Parties of Record

Case No. 2009-00441

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