

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SHELBY ENERGY)	CASE NO.
COOPERATIVE, INC. FOR AN ADJUSTMENT)	2009-00410
OF RATES)	

O R D E R

On December 30, 2009, Shelby Energy Cooperative, Inc. ("Shelby Energy") tendered for filing an application for an adjustment of electric rates based on a historic test period. The application included revised tariffs containing new rates with an effective date of February 1, 2010. By letter dated January 12, 2010, the Commission notified Shelby Energy that its application was rejected as deficient because it did not include all of the information necessary to satisfy the filing requirements contained in 807 KAR 5:001, Section 10(3)(b). That letter also stated that any proposed effective date was void and that Shelby Energy could refile its proposed tariffs within 30 days after the date of filing the required information.

On January 19, 2010, Shelby Energy filed a response that partially cured the noted deficiencies. The Commission notified Shelby Energy of this by letter dated January 20, 2010. Shelby Energy then cured the outstanding deficiency on January 25, 2010, and the Commission accepted the rate application as filed on that date.

Shelby Energy refiled most of its revised tariffs on January 25, 2010 with a new effective date of February 28, 2010. However, it did not refile tariff sheets with a new effective date for P.S.C. No. 8, First Revised Sheet No. 10; P.S.C. No. 8, First Revised

Sheet No. 26; and P.S.C. No. 5, Eighth Revised Sheet No. 15. Based on a review of Shelby Energy's rate application, the Commission finds that an investigation will be necessary to determine the reasonableness of the proposed rates and that the investigation cannot be concluded by February 28, 2010. Therefore, pursuant to KRS 278.190(2), the Commission will suspend the effective date of all of the proposed rates and new tariffs for five months.

The Commission expects the parties to use their best efforts to informally resolve any discovery disputes. Any such informal resolution should be promptly reduced to writing and filed with the Commission and all parties of record. Absent informal resolution, an objection or motion should be filed at least four business days prior to the established due date. If this deadline is not met, the filing party should include in the written objection or motion a full and complete explanation for such failure.

IT IS THEREFORE ORDERED that:

1. Shelby Energy's rate application is accepted for filing as of January 25, 2010.
2. Shelby Energy's rates are suspended for five months, from the February 28, 2010 effective date up to and including July 27, 2010.
3. The procedural schedule set forth in the Appendix to this Order shall be followed.
4. a. All requests for information and responses thereto shall be appropriately bound, tabbed, and indexed. The original and six copies shall be filed with the Commission, with copies to all parties of record. Any request for information by letter from the Commission Staff shall be responded to as if set forth in a Commission

Order. All responses shall include the name of the witness who will be responsible for responding to questions related to the information provided.

b. 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.

c. A party 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.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

5. Any party filing testimony shall file an original and six copies with the Commission, with copies to all parties of record.

6. Shelby Energy shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:011, Section 8(5). At the time publication is requested, Shelby Energy shall forward a duplicate of the notice and request to the Commission.

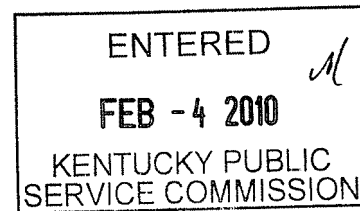
7. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

8. Any objections or motions relating to discovery or procedural dates shall be filed upon four business days' notice or the filing party shall explain, in writing, why such notice was not possible.

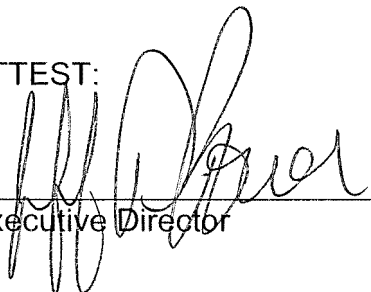
9. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

10. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission



ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2009-00410 DATED FEB - 4 2010

- All initial requests for information to Shelby Energy shall be filed no later than.....02/22/10
- Shelby Energy shall file responses to initial requests for information no later than.....03/08/10
- All supplemental requests for information to Shelby Energy shall be filed no later than.....03/22/10
- Shelby Energy shall file responses to supplemental requests for information no later than04/05/10
- Intervenor testimony, if any, in verified prepared form, shall be filed no later than.....04/19/10
- All requests for information to Intervenors shall be filed no later than05/03/10
- Intervenors shall file responses to requests for information no later than05/17/10
- Last day for Shelby Energy to publish notice of hearingto be scheduled
- Public hearing for the purpose of cross-examination of witnesses of Shelby Energy and Intervenors.....to be scheduled
- Simultaneous Briefs, if any.....to be scheduled

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