Ernie Fletcher Governor

LaJuana S. Wilcher, Secretary **Environmental and Public Protection Cabinet**

Christopher L. Lilly Commissioner **Department of Public Protection** Commonwealth of Kentucky

Public Service Commission

211 Sower Blvd. P.O. Box 615 Frankfort, Kentucky 40602-0615 Telephone: (502) 564-3940 Fax: (502) 564-3460 psc.ky.gov

August 28, 2006

Honorable Elizabeth E. Blackford Assistant Attorney General Office of the Attorney General Utility & Rate Intervention Division 1024 Capital Center Drive Suite 200 Frankfort, KY 40601-8204

RE: Case No. 2006-00129

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

Beth O'Donnell **Executive Director**

BOD/jc **Enclosure**

KentuckyUnbridledSpirit.com



Mark David Goss Chairman

> Teresa J. Hill Vice Chairman

Ernie Fletcher Governor

LaJuana S. Wilcher, Secretary Environmental and Public Protection Cabinet

Christopher L. Lilly Commissioner Department of Public Protection

Kent Blake Director - Rates & Regulatory Kentucky Utilities Company c/o Louisville Gas & Electric Co. P. O. Box 32010 Louisville, KY 40232-2010



Commonwealth of Kentucky

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Honorable David F. Boehm Attorney at Law Boehm, Kurtz & Lowry 36 East Seventh Street 2110 CBLD Building Cincinnati, OH 45202



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COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN EXAMINATION BY THE PUBLIC SERVICE COMMISSION OF THE ENVIRONMENTAL SURCHARGE MECHANISM OF KENTUCKY UTILITIES COMPANY FOR THE SIX-MONTH BILLING PERIODS ENDING JULY 31, 2003, JANUARY 31, 2004, JANUARY 31, 2005, JULY 31, 2005, AND JANUARY 31, 2006 AND FOR THE TWO-YEAR BILLING PERIOD ENDING JULY 31, 2004)))))	CASE NO. 2006-00129
AND AN EXAMINATION BY THE PUBLIC SERVICE COMMISSION OF THE ENVIRONMENTAL SURCHARGE MECHANISM OF LOUISVILLE GAS AND ELECTRIC COMPANY FOR THE SIX-MONTH BILLING PERIODS ENDING OCTOBER 31, 2003, APRIL 30, 2004, OCTOBER 31, 2004, OCTOBER 31, 2005, AND APRIL 30, 2006, AND FOR THE TWO-YEAR BILLING PERIOD ENDING APRIL 30, 2005)))))	CASE NO. 2006-00130

ORDER

On August 24, 2006, Kentucky Utilities Company; Louisville Gas and Electric Company; the Office of the Attorney General, by and through his Office of Rate Intervention, and the Kentucky Industrial Utility Customers, Inc. (collectively, "Movants") filed a joint motion requesting that the Commission cancel the September 6, 2006 hearing. The Movants stated that they are willing to waive their right to a hearing and submit the case to the Commission for decision on the record, on the condition that they are allowed to file simultaneous briefs no later than September 28, 2006.

The Commission finds that the request of the Movants to cancel the September 6, 2006 hearing and submit the case for decision on the record after the filing of simultaneous briefs is reasonable and should be granted.

IT IS THEREFORE ORDERED that:

- The September 6, 2006 hearing scheduled by the Commission's August
 2006 Order is hereby cancelled.
- 2. The Movants shall file simultaneous briefs no later than September 28, 2006. After the submission of simultaneous briefs, these cases shall stand submitted for decision on the respective records.

Done at Frankfort, Kentucky, this 28th day of August, 2006.

By the Commission

ATTEST:

Executive Director