



Ernie Fletcher
Governor

Mark David Goss
Chairman

Teresa J. Hill, Secretary
Environmental and Public
Protection Cabinet

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

John W. Clay
Commissioner

Christopher L. Lilly
Commissioner
Department of Public Protection

October 18, 2006

F. Howard Bush, II
Manager, Tariffs/Special Contracts
Kentucky Utilities Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010

RE: Case No. 2006-00148

Please see enclosed data request from Commission Staff in the above case.

If you need further assistance, please contact my staff at (502) 564-3940.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell
Executive Director

BOD/jc
Enclosure



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Foresst E. Cook
Attorney At Law
178 Main St- Ste 5
P. O. Box 910
Whitesburg, KY 41858-0910

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Honorable J. Gregory Cornett
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KY 40202-2828

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S. Ross Kegan
Black Mountain Resources LLC
158 Central Avenue
P.O. Box 527
Benham, KY 40807

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P.O. Box 1812
Lexington, KY 40588

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October 18, 2006

Richard Matda
Black Mountain Resources LLC
158 Central Avenue
P.O. Box 527
Benham, KY 40807

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Richard Matda
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Benham, KY 40807

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CUMBERLAND VALLEY ELECTRIC, INC.)	
)	
COMPLAINANT)	
)	
V.)	CASE NO. 2006-00148
)	
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

COMMISSION STAFF'S FIRST DATA REQUEST
TO KENTUCKY UTILITIES COMPANY

Pursuant to 807 KAR 5:001, Commission Staff requests that Kentucky Utilities Company ("KU") file the original and 8 copies of the following information with the Commission on or before November 1, 2006, with a copy to all parties of record. When a number of sheets are required for an item, each sheet should be appropriately indexed, for example, Item 1(a), Sheet 2 of 6. Include with each response the name of the witness who will be responsible for responding to questions relating to the information provided. Careful attention should be given to copied material to ensure its legibility. 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.

1. Refer to page 3 of the Direct Testimony of F. Howard Bush II ("Bush Testimony") wherein Mr. Bush states that the reserves to be mined at Stillhouse #2 are

in the certified territories of both KU and Cumberland Valley Electric, Inc. ("Cumberland Valley"). Is it Mr. Bush's position that in providing service to Black Mountain Resources LLC ("BMR") for use in Stillhouse #2, KU is also providing service for use in Cumberland Valley's certified territory? Explain the response.

2. Refer to page 3 of the Bush Testimony.

a. State the distance from the coal conveyor near the portal to BMR's preparation plant.

b. Identify the retail electric supplier providing electricity service to the preparation plant.

3. State when the new portal to Stillhouse #2 was constructed.

4. Provide a map showing the location of all previous portals on the U.S. Steel Property that were located in Cumberland Valley's certified territory.

a. State whether the reserves mined through these previous portals were located in both Cumberland Valley's and KU's certified territories.

b. State the name of the retail electric supplier for the mining activities that were conducted from these portals.

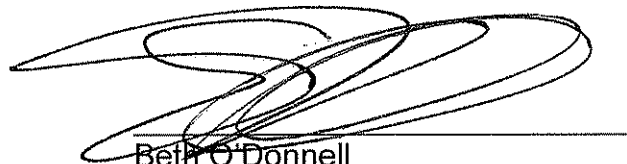
5. Provide all authorities that Mr. Bush reviewed to reach his conclusion that an electric substation is a central station source.

6. Explain why, in Mr. Bush's opinion, the Commission should not interpret central station source as the generation facility that generates or produces the electricity that is ultimately consumed.

7. Refer to page 4 of the Bush Testimony. Mr. Bush states that KU has provided power to mining operations on the U.S. Steel Property, which are now conducted by BMR, for approximately 75 years.

a. State whether the service to the U.S. Steel Property over the past 75 years has been continuous.

b. Provide the name of every customer and the nature of the service that was provided by KU on any tract of land that is or previously was part of the U.S. Steel Property.



Beth O'Donnell
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

DATED: October 18, 2006

cc: Parties of Record

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CUMBERLAND VALLEY ELECTRIC, INC.)	
)	
COMPLAINANT)	
v.)	CASE NO.
)	2006-00148
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

COMMISSION STAFF'S FIRST DATA REQUEST
TO CUMBERLAND VALLEY ELECTRIC, INC.

Cumberland Valley Electric, Inc. ("Cumberland Valley"), pursuant to 807 KAR 5:001, is requested to file with the Commission the original and 8 copies of the following information, with a copy to all parties of record. The information requested herein is due on or before November 1, 2006. When a number of sheets are required for an item, each sheet should be appropriately indexed, for example, Item 1(a), Sheet 2 of 6. Include with each response the name of the witness who will be responsible for responding to questions relating to the information provided. Careful attention should be given to copied material to ensure that it is legible. Where information requested herein has been provided, in the format requested herein, reference may be made to the specific location of said information in responding to this information request.

1. Refer to page 4 of the Direct Testimony of Ronald L. Willhite. Provide copies of the correspondence between Kentucky Utilities Company and Cumberland Valley referenced in the testimony.

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal line at the bottom, positioned above the typed name.

Beth O'Donnell
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, Kentucky 40602

DATED: October 18, 2006

cc: All Parties

Case No. 2006-00148

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CUMBERLAND VALLEY ELECTRIC, INC.)	
)	
COMPLAINANT)	
)	
V.)	CASE NO. 2006-00148
)	
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

COMMISSION STAFF'S FIRST DATA REQUEST
TO BLACK MOUNTAIN RESOURCES LLC

Pursuant to 807 KAR 5:001, Commission Staff requests that Black Mountain Resources LLC ("BMR") file the original and 8 copies of the following information with the Commission on or before November 1, 2006, with a copy to all parties of record. When a number of sheets are required for an item, each sheet should be appropriately indexed, for example, Item 1(a), Sheet 2 of 6. Include with each response the name of the witness who will be responsible for responding to questions relating to the information provided. Careful attention should be given to copied material to ensure its legibility. 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.

1. Refer to page 4 of the Direct Testimony of Richard Matda ("Matda Testimony").

a. State the date in 2005 that Stillhouse LLC ("Stillhouse") began its operations at Stillhouse #2.

b. Have all mining activities to date been conducted in the reserves located in Cumberland Valley Electric, Inc.'s ("Cumberland Valley") service territory?

2. Refer to Matda Exhibit 3. Is it correct that no mining activity is expected to occur in the reserves located in Kentucky Utilities Company's service territory until late 2007?

3. State whether or not the mining permit for Stillhouse #2 is in the name of BMR or Stillhouse and state the date the permit was issued.

4. Refer to page 5 of the Matda Testimony.

a. Prior to beginning the mining operations at Stillhouse #2, was BMR or Stillhouse aware that the reserves were located in two adjacent electric service territories? Explain the response.

b. Prior to extending its distribution system an additional 500 feet to connect to the Stillhouse #2 portal, did BMR or Stillhouse contact Cumberland Valley regarding service?



Beth O'Donnell
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

DATED: October 18, 2006.

cc: Parties of Record