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January 31, 2007

RECEIVED

Elizabeth O'Donnell Executive Director Kentucky Public Service Commission 211 Sower Boulevard Frankfort, Kentucky 40601

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PUBLIC SERVICE COMMISSION

### RE: <u>An Examination of the Application of the Fuel Adjustment Clause of</u> <u>Kentucky Utilities Company From November 1, 2004 Through October 31,</u> <u>2006</u> KPSC Case No. 2006-00509

Dear Ms. O'Donnell:

Enclosed please find and accept for filing the original and ten copies of Kentucky Utilities Company's Motion to Modify Procedural Schedule in the above-referenced matter. Please confirm your receipt of this filing by placing the stamp of your Office with the date received on the enclosed additional copies and return them to me in the enclosed self-addressed stamped envelope.

Should you have any questions or need any additional information, please contact me at your convenience.

Very truly yours,

lyp

Kendrick R. Riggs

KRR/ec Enclosures cc: Parties of Record

#### COMMONWEALTH OF KENTUCKY

## **BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

AN EXAMINATION OF THE APPLICATION )OF THE FUEL ADJUSTMENT CLAUSE OF )KENTUCKY UTILITIES COMPANY FROM )NOVEMBER 1, 2004 THROUGH )OCTOBER 31, 2006 )

CASE NO. 2006-00509

## MOTION OF KENTUCKY UTILITIES COMPANY TO MODIFY PROCEDURAL SCHEDULE

Kentucky Utilities Company ("KU") hereby moves the Public Service Commission ("Commission") to modify the procedural schedule in this proceeding in the manner set out below to afford KU the opportunity to issue data requests concerning, and rebuttal testimony to, the testimony that Intervenor Kentucky Industrial Utility Customers, Inc. ("KIUC"), has stated it will file in this proceeding. Allowing time for additional discovery and rebuttal testimony will also require rescheduling the hearing date in this proceeding, currently scheduled for March 14, 2007. The requested modification is necessary because KIUC has stated it intends to file testimony by March 9, after the last day for KU to file the required hearing notice. Keeping the current procedural schedule while allowing KIUC to file testimony as late as March 9 would effectively preclude KU from having the opportunity to have discovery of the testimony or rebut it if KU determines to do so. Therefore, KU respectfully moves the Commission to modify the procedural schedule of this proceeding as follows (regular type indicates dates already in the procedural schedule that KU does not propose to change; italic type indicates new or changed dates):

Thursday, February 8, 2007Data requests to KU are dueFriday, February 23, 2007Data responses of KU are dueFriday, March 9, 2007Intervenor testimony is due



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Thursday, March 22, 2007	Data requests to Intervenors are due
Friday, April 6, 2007	Intervenor data responses are due
Thursday, April 19, 2007	Rebuttal testimony by KU is due; last day for KU to publish notice of hearing
Thursday, April 26, 2007	Hearing at the Commission

WHEREFORE, KU respectfully moves the Commission to enter an order modifying the procedural schedule in this proceeding as set out above to afford KU the opportunity to issue data requests concerning, and rebuttal testimony to, the testimony that KIUC has stated it will file in this proceeding.

Dated: January 31, 2007

Respectfully submitted,

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Allyson K. Sturgeon Regulatory Counsel E.ON U.S. LLC 220 West Main Street Post Office Box 32010 Louisville, Kentucky 40202 Telephone: (502) 627-2088

Counsel for Kentucky Utilities Company

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the above and foregoing Motion to Modify Procedural Schedule was served, via United States mail, postage prepaid, and electronic email to the following persons on the 31st day of January 2007:

Elizabeth E. Blackford Assistant Attorney General Office of the Attorney General Office of Rate Intervention 1024 Capital Center Drive, Suite 200 Frankfort, Kentucky 40601-8204

David F. Boehm Michael L. Kurtz Boehm Kurtz & Lowry 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202

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Counsel for Kentucky Utilities Company