Ernie Fletcher Governor

Teresa J. Hill, Secretary **Environmental and Public Protection Cabinet** 

Timothy J. LeDonne 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

March 9, 2007

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. 2006-00509

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

Sincerely,

Beth O'Donnell **Executive Director** 

BOD/sh **Enclosure** 



Mark David Goss

Chairman

John W. Clay

Commissioner

Ernie Fletcher Governor

Teresa J. Hill, Secretary Environmental and Public Protection Cabinet

Timothy J. LeDonne 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



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Honorable Michael L. Kurtz 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 OF THE APPLICATION OF THE FUEL ADJUSTMENT CLAUSE OF AMERICAN ELECTRIC POWER COMPANY FROM NOVEMBER 1, 2004 TO OCTOBER 31, 2006	) )
AN EXAMINATION OF THE APPLICATION OF THE FUEL ADJUSTMENT CLAUSE OF KENTUCKY UTILITIES COMPANY FROM NOVEMBER 1, 2004 TO OCTOBER 31, 2006	) ) ) CASE NO. 2006-00509 )
AN EXAMINATION OF THE APPLICATION OF THE FUEL ADJUSTMENT CLAUSE OF LOUISVILLE GAS AND ELECTRIC COMPANY FROM NOVEMBER 1, 2004 TO OCTOBER 31, 2006	) ) ) CASE NO. 2006-00510 )

## ORDER

On December 18, 2006, the Commission established the 2-year fuel adjustment clause ("FAC") review cases for American Electric Power Company ("AEP"), Kentucky Utilities Company ("KU") and Louisville Gas and Electric Company ("LG&E"). The Commission adopted the procedural schedule set forth in Appendix A of these Orders. Kentucky Industrial Utility Customers, Inc. ("KIUC") has been granted intervenor status in the AEP, KU and LG&E cases.

In its January 24, 2007 letter, KIUC served notice that it intends to file testimony in the AEP, KU and LG&E FAC review cases and requested that the Commission allow intervenor testimony to be filed in those cases 14 days after filing of the responses to interrogatories and data requests. On February 1, 2007, KU and LG&E filed motions to modify the procedural schedule to afford the opportunity to issue data requests concerning, and rebuttal testimony to, the testimony that KIUC has stated it will file in

this proceeding. The Commission's February 14, 2007 Order granted the motions of KIUC, KU and LG&E to extend the procedural schedule and set forth the modified procedural schedule requested by KU and LG&E. To facilitate the processing of the three cases, the procedural schedule of AEP was also changed to mirror the KU and LG&E procedural schedules.

On March 2, 2007, KIUC requested, due to the complexity of the issues involved in the proceedings, that the procedural schedule for the KU and LG&E FAC review cases be further amended to allow the parties additional time to review case documents. KIUC stated in its request that all parties have agreed to the amended procedural schedule suggested in its motion.

Having reviewed the record and being otherwise sufficiently advised, the Commission finds that KIUC's request to extend the procedural schedule for the KU and LG&E FAC review cases is reasonable, for a proper purpose and should be approved. Further, the Commisson finds that in order to promote the efficient processing of the cases before it that the procedural schedule for the AEP FAC review in Case No. 2006-00507 should be similarly extended according to the same schedule.

#### IT IS THEREFORE ORDERED that:

- 1. KIUC's motions to extend the procedural schedules in Case No. 2006-00509 and Case No. 2006-00510 are granted.
- 2. The procedural schedule in Case No. 2006-00507 is modified to conform to the procedural schedule set forth in Appendix A.
- 3. The revised procedural schedule set forth in Appendix A supersedes any schedule previously established and shall be followed in these proceedings.

Case No. 2006-00507 Case No. 2006-00509 Case No. 2006-00510 4. AEP, KU and LG&E shall notify their customers in writing of the date, time, place, and purpose of the hearing or shall publish such notice in accordance with Administrative Regulation 807 KAR 5:011, Section 8(5). Proof of publication shall be filed prior to the day of the hearing.

Done at Frankfort, Kentucky, this 9th day of March, 2007.

By the Commission

ATTEST:

Executive Director

# APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NOS. 2006-00507, 2006-00509 AND 2006-00510 DATED March 9, 2007.

Intervenor testimony, if any, shall be filed in verified prepared form no later than
Data requests to intervenors shall be filed no later than
Intervenors shall file responses to supplemental data requests no later than
Rebuttal testimony in verified prepared form shall be filed no later than
Public Hearing to begin at 9:00, Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Blvd., Frankfort, Kentucky, for the purpose of cross-examination of witnesses and intervenors