

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION OF THE	)	
ENERGY AND REGULATORY	)	ADMINISTRATIVE
ISSUES IN SECTION 50 OF	)	CASE NO. 2007-00477
KENTUCKY'S 2007 ENERGY ACT	)	

FIRST DATA REQUEST OF COMMISSION STAFF  
TO KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

Kentucky Industrial Utility Customers, Inc. ("KIUC"), pursuant to 807 KAR 5:001, is to file with the Commission the original and 10 copies of the following information, with a copy to all parties of record. The information requested herein is due on or before March 20, 2008. Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

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 the 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.

KIUC shall make timely amendment to any prior responses 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. For any request to which

KIUC fails or refuses to furnish all or part of the requested information, it shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.


Careful attention shall be given to copied material to ensure that it is legible. 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 the direct testimony of Kevin C. Higgins ("Higgins Testimony"), page 3, Item No. 2, lines 16-21. Is the reference to KIUC's continued support of the "opt-out" provision of KRS 278.190 actually a reference to Section 3 of KRS 278.285, which authorizes industrial customers to "opt-out" of demand-side management programs under certain conditions? If no, cite the pertinent section of KRS 278.190 which is being referenced.

2. KRS 278.285(3) states, "The commission shall allow individual industrial customers with energy intensive processes to implement cost-effective energy efficiency measures in lieu of measures approved as part of the utility's demand-side management programs if the alternative measures are not subsidized by other customer classes." Does KIUC believe that there should be any benchmark in terms of dollars spent or in terms of savings, dollars saved or energy saved, in order for industrial customers to qualify for the "opt-out" provision? Explain your response.

3. Refer to the Higgins Testimony, page 10, lines 19-22, which states that KIUC supports "encouragement of distributed generation through reasonably priced and

well structured partial requirements service tariffs. Provide KIUC's definition of distributed generation and explain KIUC's position in more detail.



---

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

DATED: March 11, 2008

cc: Parties of Record