Steven L. Beshear Governor

Robert D. Vance, Secretary Environmental and Public Protection Cabinet

Larry R. Bond Commissioner Department of Public Protection

Honorable Tyson A. Kamuf Attorney at Law Sullivan, Mountjoy, Stainback & Miller, PSC 100 St. Ann Street P.O. Box 727 Owensboro, KY 42302-0727



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 7, 2008

Mark David Goss Chairman

John W. Clay Vice Chairman

Caroline Pitt Clark Commissioner

RE: Case No. 2008-00009

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

Sincerely,

Beth O'Donnell Executive Director

BOD/tw Enclosure



Steven L. Beshear Governor

Robert D. Vance, Secretary Environmental and Public Protection Cabinet

Larry R. Bond Commissioner Department of Public Protection

Honorable Frank N. King, Jr. Attorney at Law Dorsey, King, Gray, Norment & Hopgood 318 Second Street Henderson, KY 42420



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Sanford Novick President and CEO Kenergy Corp. 3111 Fairview Drive P. O. Box 1389 Owensboro, KY 42302



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Sincerely,

Beth O'Donnell

**Executive Director** 





### COMMONWEALTH OF KENTUCKY

#### BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENERGY CORP. FOR	)	
APPROVAL OF RETAIL TARIFF RIDERS AND	)	
REVISED TARIFFS, APPROVAL OF SMELTER	)	CASE NO.
AGREEMENTS, AND APPROVAL OF	)	2008-00009
AMENDMENT TO WHOLESALE AGREEMENT	Ń	

## ORDER

The Commission, on its own motion, HEREBY ORDERS that:

- 1. The procedural schedule set forth in Appendix A, which is attached hereto and incorporated herein, shall be followed.
- 2. a. Responses to requests for information shall be appropriately bound, tabbed, and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided, with copies to all parties of record and 6 copies to the Commission.
- b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or 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.

- c. Any party 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.
- d. For any requests to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.
  - 3. Any party filing comments shall file an original and 9 copies.
- 4. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.
- 5. The Commission does not look favorably upon motions for continuance. Consequently, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.
- 6. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

Done at Frankfort, Kentucky, this 7th day of March, 2008.

By the Commission

ATTEST:

Executive Director

## APPENDIX A

# APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2008-00009 DATED MARCH 7, 2008

All initial requests for information to Kenergy Corp.  ("Kenergy") shall be filed no later than	.03/17/08
Kenergy shall file responses to initial requests for information no later than	.03/28/08
All supplemental requests for information to Kenergy shall be filed no later than	. 04/10/08
Kenergy shall file responses to supplemental requests for information no later than	04/23/08
Intervenors' comments on the application, if any, shall be filed in no later than	05/01/08
Kenergy's reply comments shall be filed no later than	05/08/08