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Jeffrey A. Been
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October 13, 2008

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VIA HAND DELIVERY

Leslie G. Clemons
Managing Attorney
Volunteer Lawyer Program

Ms. Stephanie Stumbo, Executive Director
Kentucky Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615

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OCT 13 2008

**PUBLIC SERVICE
COMMISSION**

Stefanie A. Coomes
Information Technology
Manager

Carolyn A. Dean
Controller

Patricia A. Kennedy
Director of Human
Resources and
Administration

RE: In the Matter of:

Ronald Marstin
Managing Attorney
Urban Division

APPLICATION OF LOUISVILLE GAS AND ELECTRIC COMPANY TO FILE
DEPRECIATION STUDY, CASE NO. 2007-00564

S. Stewart Pope
Advocacy Director

AND

APPLICATION OF LOUISVILLE GAS AND ELECTRIC COMPANY, INC. FOR AN
ADJUSTMENT OF ITS ELECTRIC AND GAS BASE RATES, CASE NO. 2008-00252

Robert Frederick Smith
Managing Attorney
Rural Division

Dear Ms. Stumbo:

Attorneys

Laura Brent
Jeffrey S. Brown
Sarah Caragianis
Ben Carter
Lea D. Hardwick
Gwendolyn Horton
Lisa Kilkelly
Pat Moran
Nellie McCall
Eileen F. Orlover
Neva-Marie Polley
Soha Saiyed
Shawna Scheidel
Jeffrey B. Segal
Barbara A. Sullivan
Rita J. Ward
Stephanie C. Willis
John Young

Enclosed for filing in the above-captioned case are an original and ten (10) copies of a Motion of the Association of Community Ministries ("ACM") and People Organized and Working for Energy Reform ("POWER") to Amend Procedural Order Dated October 6, 2008.

Please confirm your receipt of these filings by placing the stamp of your office with the date received on the enclosed additional copy of each motion and return it to me in the enclosed self addressed stamped envelope.

Thank you for your assistance in this matter. Please contact me if you need further information.

Sincerely,

Lisa Kilkelly
Attorney for POWER and ACM

Paralegals

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Carol Dupin
Catherine M. Ford
Betsy Jones
Justin Jones
Holly Jenkins
Virginia Jordan
Tracey Leo
Rachel Popham
Andrea Y. Robbins
MaryAnn Werling

**Wyatt, Tarrant &
Combs Fellow:**
Lori Goodwin

Cc: parties of record



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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

OCT 13 2008

PUBLIC SERVICE
COMMISSION

In The Matter Of:

APPLICATION OF LOUISVILLE GAS)	
AND ELECTRIC COMPANY TO FILE)	CASE NO. 2007-00564
DEPRECIATION STUDY)	
)	
APPLICATION OF LOUISVILLE GAS)	
AND ELECTRIC COMPANY)	CASE NO. 2008-00252
FOR AN ADJUSTMENT OF ITS)	
ELECTRIC AND GAS BASE RATES)	

**MOTION OF ASSOCIATION OF COMMUNITY MINISTRIES AND PEOPLE
ORGANIZED AND WORKING FOR ENERGY REFORM TO AMEND
PROCEDURAL ORDER DATED OCTOBER 6, 2008**

Intervenors, Association of Community Ministries (“ACM”) and People Organized and Working for Energy Reform ("POWER"), by counsel, respectfully move the Commission to amend its procedural order entered in the above matter on October 6, 2008 with respect to the public hearing date.¹

In support of this Motion, ACM and POWER first state that they appreciate the opportunity the Commission has given them to intervene in this important matter and they want to be able to contribute as fully as possible. Unfortunately, ACM and POWER’s witness will be out of the country and unable to attend the currently scheduled hearing from January 14, 2009 until February 2, 2009.²

¹ Because the Commission intends to hear this case along with Case No. 2008-00251, *In the Matter of Application of Kentucky Utilities Company for an Adjustment of Base Rates*, ACM and POWER are serving a copy of this motion on Lexington-Fayette Urban County Government, intervenor in the KU rate case, along with their regular service to the parties to the LG&E case.

² ACM and POWER’s witness will also be out of town from February 12, 2009 until February 17, 2009, but under the current schedule, it does not appear likely that this will affect ACM and POWER’s participation in the case.

The public hearing is scheduled to begin on January 13, 2009. ACM and POWER are concerned that their witness' unavailability starting January 14 will cause them to lose the opportunity to offer this witness' testimony for cross examination. On the first day of the public hearing, the public comment period and preliminary procedural matters that may arise would be expected to take up some time. Other parties' witnesses may have scheduling concerns that cause them to request to offer testimony and complete cross examination on the first day. Thus, there is a risk that time will be insufficient for ACM and POWER's witness to take the stand on January 13. Additionally, due to the complexity of the case and the number of parties and witnesses involved, it appears highly unlikely that the public hearing will conclude in just one day. ACM and POWER would be able to participate more fully in the proceedings if their witness could be present throughout the hearing.

The Commission has been called upon to revisit the procedural schedule by KU and LG&E's Motion for Reconsideration and Reinstatement of Procedural Orders and the Attorney General's Objection thereto. ACM and POWER believe that a hearing date that allows all of the utilities' and intervenors' witnesses to fully participate will contribute to the Commission's understanding of the issues and ultimately will benefit the public. For these reasons, ACM and POWER request the Commission to amend the procedural schedule to reschedule the public hearing to a date which would allow ACM and POWER's witness to participate and which would also be agreeable to all of the parties to these cases.

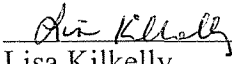
Respectfully submitted,

Lisa KilKelly

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion of Association of Community Ministries and People Organized and Working for Energy Reform to Amend Procedural Order Dated October 6, 2008 was served on the following parties on the 12th day of October, 2008 by United States mail, postage prepaid.



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