

YUNKER & ASSOCIATES

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EX-107, 1179

OCT 24 2003

October 24, 2003

Thomas M. Dorman
Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, Kentucky 40602-0615

Re: Change to service list in Case No. 2003-00266

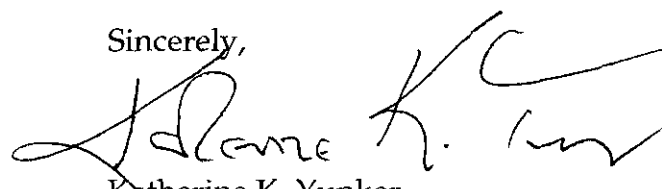
Dear Mr. Dorman:

Please change the service list in this proceeding to substitute Michael E. Allen for Stephen G. Kozey; Mr. Allen is at the same street/ mailing address for Mr. Kozey as follows:

Michael E. Allen, Esq.
Midwest Independent Transmission
System Operator, Inc.
701 City Center Drive
Carmel, IN 46032

By copy of this letter, I request that the parties to the proceeding also make this change. The mailing address for the undersigned remains as stated in the motion to intervene: P.O. Box 21784, Lexington, KY 40522-1784. However, the street address for our offices (necessary information for delivery services) is Suite 200, 476 E. High Street, Lexington, Kentucky 40507.

Sincerely,



Katherine K. Yunker

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Investigation into the Membership of
Louisville Gas and Electric Company
and Kentucky Utilities Company in the
Midwest Independent Transmission
System Operator, Inc.

Case No. 2003-00266

**Request for Extension
of the Procedural Schedule**

Intervenor Midwest Independent Transmission System Operator, Inc. ("Midwest ISO"), hereby requests an extension of the schedule in the Order dated July 31, 2003, establishing January 16, 2004, as the deadline for intervenors to file and serve testimony in verified prepared form and otherwise revising the schedule as shown on the attached Appendix A. In support of this request, Midwest ISO states as follows:

1. Midwest ISO intends to file prepared direct testimony from one or more witnesses addressing the issues set forth in the Commission's Order of July 17, 2003, including benefits and costs related to Louisville Gas and Electric Company's ("LG&E") and Kentucky Utilities Company's ("KU") membership in Midwest ISO — currently and over the next 5–10 years. In its testimony, Midwest ISO intends to do more than comment on or prepare a study that is based solely on the benefit-cost analysis presented by LG&E and KU. Rather, Midwest ISO will present a separate, thorough analysis of benefits and costs. Work on that analysis has begun; however, it is not expected to be complete until early in the new year. The analysis to be presented by Midwest ISO will provide the Commission a more complete record upon which to consider the important issues set forth in the initial Order in this proceeding.

2. Additionally, in order to prepare its direct testimony and complete its benefit-cost study, Midwest ISO needs more time to review information provided by LG&E and KU in response to its initial data requests and to obtain additional information from LG&E and KU. Midwest ISO received responses to its initial data requests on October 21, 2003; however, LG&E and KU have asserted that certain information requested is confidential or privileged. Midwest ISO will work expeditiously with LG&E and KU to resolve any issues related to confidentiality and privilege and will seek additional information through supplemental information requests to LG&E and KU, which are due, under the current procedural schedule, to be filed on October 30, 2003.

3. The undersigned Kentucky counsel assisting Midwest ISO in this proceeding and in the preparation of direct testimony has been summoned to jury duty by the Fayette District Court for the period November 3 – 28, 2003. It is not known how many or which days in November she will be required to serve.

4. The requested extension of the procedural schedule is the first request Midwest ISO has made to revise the procedural schedule, is not made for purposes of delay, and is approximately the same as the 45-day extension requested and received by LG&E and KU to file their prepared testimony.

5. The undersigned has been authorized to represent that the other intervenors, the Attorney General and KIUC, have no objection to the requested extension.

6. The proposed revised schedule includes the opportunity for LG&E and KU to file rebuttal testimony, as requested in their Motion to Amend Procedural Schedule filed September 12, 2003, and one round of data requests and responses on the rebuttal testimony.

WHEREFORE, Midwest ISO respectfully requests that the Commission enter an order directing that the procedural schedule attached hereto as Appendix A supersede the schedule appended to the July 30, 2003 Order.

Respectfully submitted,

Katherine K. Yunker
Benjamin D. Allen
YUNKER & ASSOCIATES
P.O. Box 21784
Lexington, KY 40522-1784
859-266-0415
fax: 859-266-3012

Stephen G. Kozey
Michael E. Allen
MIDWEST INDEPENDENT TRANSMISSION
SYSTEM OPERATOR, INC.
701 City Center Drive
Carmel, IN 46032
317-249-5850

BY: 

ATTORNEYS FOR MIDWEST INDEPENDENT
TRANSMISSION SYSTEM OPERATOR, INC.

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this the 24th day of October, 2003, the original and ten (10) copies of this Request for Extension of the Procedural Schedule were hand-delivered for filing with the Commission, an electronic file was e-mailed to Commission Counsel Richard Raff, and a copy was sent by first-class U.S. mail to:

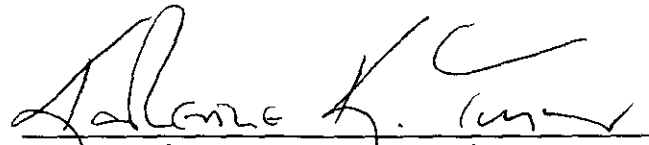
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1700 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202



Attorney for Midwest Independent
Transmission System Operator, Inc.

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2003-00266 DATED November __, 2003

LG&E and KU shall file direct testimony in
verified prepared form no later than09/22/03

All initial requests for information to LG&E
and KU shall be filed no later than.....10/06/03

LG&E and KU shall file responses to initial
requests for information no later than10/20/03

All supplemental requests for information
to LG&E and KU shall be filed no later than.....11/4/03

LG&E and KU shall file responses to
supplemental requests for information
no later than11/18/03

Intervenor testimony, if any, shall be filed
in verified prepared form no later than1/16/04

Initial data requests to intervenors shall
be filed no later than2/2/04

Intervenors' responses to data requests
shall be filed no later than2/18/04

LG&E and KU shall file rebuttal testimony in
verified prepared form no later than3/3/03

All requests for information to LG&E
and KU about rebuttal testimony shall
be filed no later than3/16/03

LG&E and KU shall file responses to
requests for information about rebuttal
testimony no later than3/30/03

Further procedural steps(to be scheduled)