

**BOEHM, KURTZ & LOWRY**

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RECEIVED  
JAN 28 2004  
PUBLIC SERVICE  
COMMISSION

January 27, 2004

Thomas M. Dorman, Esq.  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602

**Re: Case No. 2003-00434**

Dear Mr. Dorman:

Please find enclosed the original and twelve copies of the First Set of Data Requests of Kentucky Industrial Utility Customers, Inc. to Kentucky Utilities Company filed in the above-referenced matter.

Pursuant to agreement with the Company, KIUC's first set of data requests will be submitted as they are finalized in order to reduce the number of questions the Company receives on February 3. We will be supplementing these questions as more questions become final.

By copy of this letter, all parties listed on the attached Certificate of Service been served. Please place this document of file.

Very Truly Yours,



David F. Boehm, Esq.

**BOEHM, KURTZ & LOWRY**

MLKkew  
Attachment

cc: Certificate of Service  
Richard Raff, Esq.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by regular U.S. mail (unless otherwise noted) to all parties on the 27<sup>th</sup> day of January, 2004

Michael S. Beer, Vice President, Rates & Regulatory  
Kentucky Utilities Company  
c/o Louisville Gas & Electric Co.  
P. O. Box 32010  
Louisville, KY 40232-2010

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


Honorable David C. Brown  
Stites & Harbison, PLLC  
400 West Market Street, Suite 1800  
Louisville, KY 40202

Lexington-Fayette Urban County Government  
Department Of Law  
200 East Main Street  
Lexington, KY 40507

Honorable Linda S. Portasik  
Senior Corporate Attorney  
Kentucky Utilities Company  
c/o Louisville Gas & Electric Co.  
P. O. Box 32010  
Louisville, KY 40232-2010

Honorable Kendrick R. Riggs  
Ogden, Newell & Welch, PLLC  
1700 Citizens Plaza  
500 West Jefferson Street  
Louisville, KY 40202  
(Via Electronic Mail)

Honorable Richard S. Taylor  
Capital Link Consultants  
225 Capital Avenue  
Frankfort, KY 40601

  
\_\_\_\_\_  
David F. Boehm, Esq.

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In The Matter Of Adjustment of Electric Rates of  
Kentucky Utilities Company

:  
:

Case No. 2003-034

PUBLIC SERVICE  
COMMISSION  
JAN 28 2004  
RECEIVED

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**FIRST SET OF DATA REQUESTS OF  
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC. to  
KENTUCKY UTILITY COMPANY**

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**Dated: January 27, 2004**

## DEFINITIONS

1. "Document" means the original and all copies (regardless of origin and whether or not including additional writing thereon or attached thereto) of memoranda, reports, books, manuals, instructions, directives, records, forms, notes, letters, notices, confirmations, telegrams, pamphlets, notations of any sort concerning conversations, telephone calls, meetings or other communications, bulletins, transcripts, diaries, analyses, summaries, correspondence investigations, questionnaires, surveys, worksheets, and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments and written comments concerning the foregoing, in whatever form, stored or contained in or on whatever medium, including computerized memory or magnetic media.
2. "Study" means any written, recorded, transcribed, taped, filmed, or graphic matter, however produced or reproduced, either formally or informally, a particular issue or situation, in whatever detail, whether or not the consideration of the issue or situation is in a preliminary stage, and whether or not the consideration was discontinued prior to completion.
3. "Person" means any natural person, corporation, professional corporation, partnership, association, joint venture, proprietorship, firm, or the other business enterprise or legal entity.
4. A request to identify a natural person means to state his or her full name and residence address, his or her present last known position and business affiliation at the time in question.
5. A request to identify a document means to state the date or dates, author or originator, subject matter, all addressees and recipients, type of document (e.g., letter, memorandum, telegram, chart, etc.), number of code number thereof or other means of identifying it, and its present location and custodian. If any such document was, but is no longer in the Company's possession or subject to its control, state what disposition was made of it.
6. A request to identify a person other than a natural person means to state its full name, the address of its principal office, and the type of entity.
7. "And" and "or" should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.
8. "Each" and "any" should be considered to be both singular and plural, unless specifically stated otherwise.
9. Words in the past tense should be considered to include the present, and words in the present tense include the past, unless specifically stated otherwise.
10. "You" or "your" means the person whose filed testimony is the subject of these interrogatories and, to the extent relevant and necessary to provide full and complete answers to any request, "you" or "your" may be deemed to include any person with information relevant to any interrogatory who is or was employed by or otherwise associated with the witness or who assisted, in any way, in the preparation of the witness' testimony.
12. "KU" means Kentucky Utilities Company, and/or any of their officers, directors, employees or agents who may have knowledge of the particular matter addressed.

## INSTRUCTIONS

1. If any matter is evidenced by, referenced to, reflected by, represented by, or recorded in any document, please identify and produce for discovery and inspection each such document.
2. These interrogatories are continuing in nature, and information which the responding party later becomes aware of, or has access to, and which is responsive to any request is to be made available to Kentucky Industrial Utility Customers. Any studies, documents, or other subject matter not yet completed that will be relied upon during the course of this case should be so identified and provided as soon as they are completed. The Respondent is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as it first becomes available to the Respondent after the answers hereto are served.
3. Unless otherwise expressly provided, each interrogatory should be construed independently and not with reference to any other interrogatory herein for purpose of limitation.
4. The answers provided should first restate the question asked and also identify the person(s) supplying the information.
5. Please answer each designated part of each information request separately. If you do not have complete information with respect to any interrogatory, so state and give as much information as you do have with respect to the matter inquired about, and identify each person whom you believe may have additional information with respect thereto.
6. In the case of multiple witnesses, each interrogatory should be considered to apply to each witness who will testify to the information requested. Where copies of testimony, transcripts or depositions are requested, each witness should respond individually to the information request.
7. The interrogatories are to be answered under oath by the witness(es) responsible for the answer.
8. Responses to requests for revenue, expense and rate base data should provide data on the basis of Total company as well as Intrastate data, unless otherwise requested.

**KIUC's FIRST SET OF DATA REQUESTS TO KU  
PSC CASE NO. 2003-00434**

1. Please provide copies of the most recent bond rating agency reports for Kentucky Utilities Company.
2. Please provide copies of all work papers, supporting documentation, articles, studies, and other material cited and/or relied upon by Mr. Rosenberg in preparing his testimony for Kentucky Utilities. Please provide electronic copies of all spreadsheets with cell formulas intact.
3. If not supplied previously, please provide a copy of the Ibbotson Associates *Risk Premium Over Time Report: 2003*.

Respectfully submitted,

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David F. Boehm, Esq.  
Michael L. Kurtz, Esq.  
**BOEHM, KURTZ & LOWRY**  
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Cincinnati, Ohio 45202  
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**COUNSEL FOR KENTUCKY INDUSTRIAL  
UTILITY CUSTOMERS, INC.**

January 27, 2004