

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

In the Matter of:

MAY 10 2004

PUBLIC SERVICE
COMMISSION

APPLICATION OF DELTA NATURAL GAS)
COMPANY, INC. FOR AN ADJUSTMENT) CASE NO.
OF RATES) 2004-00067

ATTORNEY GENERAL'S MOTION FOR EXTENSION AND
MOTION TO AMEND PROCEDURAL SCHEDULE

Comes now the Attorney General, by and through his Office of Rate Intervention, and moves the Public Service Commission for an extension of time in which to file his initial data requests and to amend the procedural schedule accordingly. Unless otherwise afforded the relief which he requests herein, the Attorney General will experience undue harm and prejudice in his attempts to meaningfully participate in the hearing and thus be deprived of the opportunity to represent the interests of the ratepayers of Delta Natural Gas.

Currently, the Attorney General's Office, through his Office of Rate Intervention, is participating in *An Adjustment of the Gas and Electric Rates, Terms, and Conditions of Louisville Gas and Electric Company, Case No. 2003-00433*, and *An Adjustment of the Electric Rates, Terms, and Conditions of Kentucky Utilities Company, Case No. 2003-00434*. Both co-counsel as well as the three experts which the Attorney General's Office has engaged to work in the instant case are involved in the aforementioned cases. On April 28, 2004, the Attorney General's Office discovered that the LG&E and the KU

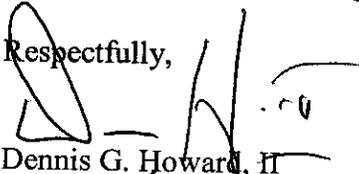
cases are scheduled to run into the week of May 10th. Given the fact that the initial data requests are due on May 10th in the instant action, the Attorney General's Office will essentially be precluded of the opportunity to prepare his initial data requests. Hence, the Attorney General's first round of data requests and the foundation for his discovery will be thwarted. The preclusion of the Attorney General's Office of meaningful discovery will lead to the result of jeopardizing, if not eliminating, the Attorney General's meaningful participation in the hearing on behalf of Delta's ratepayers.

Counsel for Delta has agreed to an extension of time up to May 14th with the understanding that Delta will be provided similar accommodations and that the extension will not affect the implementation of the rates.

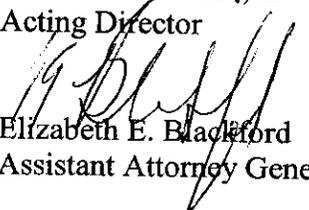
This request will present no harm or prejudice to the other parties. Furthermore, it will not create any problems for the statutorily mandated time frame given the fact that the hearing has yet to be scheduled.

Wherefore, the Attorney General's Office respectfully requests the Commission grant an extension of time up to and including May 14, 2004, in which to file his initial data requests and that the Commission amend the procedural schedule accordingly.

Respectfully,



Dennis G. Howard, II
Acting Director



Elizabeth E. Bladeford
Assistant Attorney General

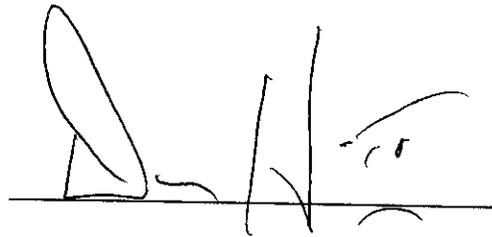
CERTIFICATE OF SERVICE AND NOTICE OF FILING

I give notice that this the 10th day of May, 2004, I have filed the original and ~~ten~~ ^{SIX} true copies of the foregoing with the Executive Director of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky, 40601. I hereby certify that a true copy of the foregoing has been served on the following by mailing same, postage prepaid, to:

Leslye M. Bowman
Lexington-Fayette Urban County
Government
Department of Law
200 East Main Street
Lexington, KY 40507

John F. Hall
Delta Natural Gas Company, Inc.
3617 Lexington Road
Winchester, KY 40391

Honorable Robert M. Watt, III
Stoll, Keenon & Park, LLP
300 West Vine Street
Suite 2100
Lexington, KY 40507-1801

A handwritten signature in black ink, appearing to read 'R. M. Watt, III', written over a horizontal line.