

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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SEP 26 2005

In the Matter of:

PUBLIC SERVICE
COMMISSION

AN ADJUSTMENT OF THE GAS)
RATES OF THE UNION LIGHT,)
HEAT AND POWER COMPANY)


CASE NO. 2005-00042

ATTORNEY GENERAL'S REPLY TO MOTION PERTAINING TO INTERIM EXTENSION OF RATES

Though it might be less expensive to ratepayers to agree to extend the Rider AMRP and otherwise maintain the rates in effect until such time as the Commission enters its decision in this rate application, the Attorney General cannot agree to the extension of a rate whose validity is challenged on appeal as being void *ab initio* because it is beyond the power of the Commission to establish the Rider. Further, this Motion again asks for the relief the Commission has already refused to grant by Order of January 27, 2005, in *In the Matter of The Union Light, Heat and Power Company's Motion for Extension of Filing Date and Continuation of its Current Rider ARMP Rates*, Case Number 2004-00403. No appeal was taken from that Order. Therefore, the Attorney General objects to the extension of the Rider AMRP pending the decision in this case.

Respectfully submitted

GREGORY D. STUMBO
ATTORNEY GENERAL


Elizabeth E. Blackford
Assistant Attorney General
1024 Capital Center Drive, Suite 200
Frankfort, Kentucky 40601-8204
(502) 696-5453

NOTICE OF FILING AND CERTIFICATION OF SERVICE

I hereby give notice that I have filed the original and ten true copies of the foregoing with the Executive Director of the Kentucky Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky, 40601 this the 26th day of September, 2005, and certify that this same day I have served the parties by mailing a true copy, postage prepaid, to the following:

JOHN P STEFFEN
VICE PRESIDENT RATES
THE UNION LIGHT HEAT AND POWER CO
139 E FOURTH ST
CINCINNATI OH 45202

ROBERT M WATT ESQ
ATTORNEY AT LAW
STOLL KEENON AND PARK LLP
300 W VINE ST STE 2100
LEXINGTON KY 40507 1801

JOHN J FINNIGAN JR ESQ
SENIOR COUNSEL
THE UNION LIGHT HEAT & POWER CO
139 E FOURTH STREET
CINCINNATI OH 45202

KATE E MORIARTY
THE UNION LIGHT HEAT & POWER DO
139 E FOURTH ST
CINCINNATI OH 45202

