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

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In The Matter Of:

GENERAL ADJUSTMENT IN ELECTRIC RATES OF KENTUCKY POWER COMPANY

CASE NO. 2005-00341

## MOTION TO AMEND PROCEDURAL SCHEDULE

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Kentucky Power Company moves the Commission to amend the procedural schedule established by the Commission's Order dated November 3, 2005 as set out below. In support of its Motion Kentucky Power states:

1. In conformity with the Commission's directive to the parties to confer informally to resolve any requests for extension, counsel for Kentucky Power, the Attorney General, Office of Rate Intervention and Kentucky Industrial Utilities Customers, Inc. conferred during the week of November 14, 2005 concerning amendments to current schedule. On November 21, 2005 they agreed to recommend the following amended procedural schedule. The proposed amended schedule has been provided to the Kentucky Association for Community Action, Inc. and Kentucky Cable Telecommunications Association, Inc. Neither has expressed any objection to the proposal.

2. The additional time is required to permit Kentucky Power to respond to the approximately 500 data requests served on it by the parties on November 10, 2005. In addition, the Attorney General and KIUC seek to amend the schedule to address the problem arising from the requirement they file their testimony on December 29, 2005 (i.e., during the week between Christmas and New Year's Day.)

PUBLIC SERVICE

Event **Date Under** Elapsed Date Elapsed Current Time from Under Time PSC **Prior Event** KPC from Schedule Proposal Prior Event KPC 11/23/05 13 11/29/05 19 Responses To 1<sup>st</sup> Set of Data Requests 12/6/05 Intervenor 13 12/12/05 13 Second Set of Data Requests 12/16/05 12/22/05 KPC 10 10 Responses Intervenor 12/29/05 13 1/9/06 18 Testimony 1/13/05 15 9 **KPC** Data 1/18/06 Requests Intervenor 1/25/06 12 1/27/06 9 Responses to KPC Data Requests KPC 2/1/06 7 2/2/06 6 Rebuttal Testimony 4/9/06 End of 67 4/9/06 61 Suspension Period

3. Kentucky Power believes the amended schedule below will permit the timely and efficient litigation of this case without unduly burdening the parties, the Commission or its Staff:

4. This motion is not being made at least four business days prior to the due date for Kentucky Power Company's Responses to the first set of Intervenor Data Requests because the parties were working through the afternoon of November 18, 2005 to reach an agreement. Wherefore, Kentucky Power Company respectfully requests the Commission amend its

November 3, 2005 Procedural Schedule as set out above.

Respectfully submitted,

Bruce F. Clark Judith A. Villines Mark R. Overstreet STITES & HARBISON, PLLC 421 West Main Street P.O. Box 634 Frankfort, Kentucky 40602-0634 Telephone: 502-223-3477 COUNSEL FOR: KENTUCKY POWER COMPANY

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was served via United States Postal Service, First Class Mail, postage prepaid, upon:

Michael L. Kurtz Boehm, Kurtz & Lowry 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202

Richard G. Raff Public Service Commission 211 Sower Boulevard P.O. Box 615 Frankfort, Kentucky 40602-0615

Gardner F. Gillespie Hogan & Hartson L.L.P. 555 Thirteenth Street, N.W. Washington, D.C. 20004-1109 Elizabeth E. Blackford Kentucky Attorney General's Office 1024 Capital Center Drive, Suite 200 Frankfort, Kentucky 40601-8204

Joe F. Childers 201 West Short Street Suite 310 Lexington, Kentucky 40507

Frank F. Chuppe Wyatt, Tarrant & Combs LLP 500 West Jefferson Street, Suite 2800 Louisville, Kentucky 40202-2898

on this the 21<sup>st</sup> day of November, 2005.

Mark R. Overstreet

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