



Cinergy Corp.
139 East Fourth Street
Rm 25 AT II
P.O. Box 960
Cincinnati, OH 45201-0960
tel 513.287.3601
fax 513.287.3810
jfinnigan@cinergy.com

John J. Finnigan, Jr.
Senior Counsel

VIA OVERNIGHT DELIVERY

September 13, 2005

Ms. Elizabeth O'Donnell
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, Kentucky 40602-0615

Re: Application of The Union Light, Heat and Power Company to Establish October
1, 2008 as Filing Date for Next Integrated Resource Plan
Case No. 2005-00370

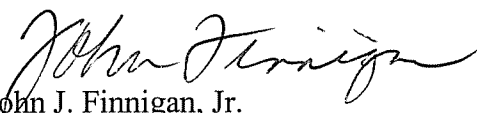
Dear Ms. O'Donnell:

Enclosed please find an original and twelve copies of the above-referenced Application.

Please assign a case number and file-stamp and return the two extra copies in the enclosed over-night envelope.

If you have any questions regarding this filing, please call me at (513) 287-3601.

Sincerely,


John J. Finnigan, Jr.
Senior Counsel

JJF/sew

cc: Hon. Elizabeth Blackford (via overnight w/encl.)

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

THE UNION LIGHT, HEAT AND)
POWER COMPANY'S INTEGRATED) **CASE NO. 2005- 00370**
RESOURCE PLAN)

**APPLICATION OF
THE UNION LIGHT, HEAT AND POWER COMPANY
TO ESTABLISH OCTOBER 1, 2008 AS FILING DATE FOR
NEXT INTEGRATED RESOURCE PLAN**

Pursuant to 807 KAR 5:001 Section 10 and 5:058, The Union Light, Heat and Power Company ("ULH&P") requests approval to file its next Integrated Resource Plan ("IRP") by October 1, 2008. ULH&P further requests that the Commission establish the filing dates for ULH&P's future IRPs in each successive IRP case. In support of this application, ULH&P respectfully states as follows:

1. ULH&P is a corporation organized and existing under the laws of the Commonwealth of Kentucky. ULH&P's principal office and principal place of business is 1697 A Monmouth Street, Newport Shopping Center, Newport, Kentucky 41071, and its mailing address is P.O. Box 960, Cincinnati, Ohio 45201. Pursuant to 807 KAR 5:001 Section 10(1)(b)(3), a certified copy of ULH&P's articles of incorporation is on file with the Commission in Case No. 2005-00042, and is incorporated by reference.

2. ULH&P purchases, sells, stores and transports natural gas in Boone, Campbell, Gallatin, Grant, Kenton and Pendleton Counties, Kentucky. ULH&P also purchases electricity, which it distributes and sells in Boone, Campbell, Grant, Kenton

and Pendleton Counties, Kentucky. ULH&P is a “utility” as defined in KRS 278.010(3) and is subject to the Commission’s jurisdiction pursuant to KRS 278.040.

3. Pursuant to 807 KAR 5:058, ULH&P is required to file a new IRP every three years, unless the Commission modifies this schedule for good cause. ULH&P last filed an IRP on April 4, 2004.¹ The Commission approved this IRP in an order dated January 14, 2005.² In that case, the Commission elected not to set a date for ULH&P’s next IRP filing, because ULH&P’s application for a certificate of public convenience and necessity (“CPCN”) to obtain three generating plants from its affiliate, The Cincinnati Gas & Electric Company (“CG&E”), was still pending in another case.³ According to 807 KAR 5:058, ULH&P’s next IRP filing would normally be required in 2007.

4. When the Commission approved ULH&P’s application for a CPCN to obtain the three generating plants from CG&E, the Commission also ordered ULH&P to file a separate proceeding to establish the filing date for its next IRP case.⁴ Additionally, the Commission ordered ULH&P to report in this case on the status of CG&E’s request for SEC approval to transfer the three generating plants to ULH&P.⁵

5. In the present case, ULH&P requests approval to file its next IRP by October 1, 2008. ULH&P submits that October 1, 2008 is a reasonable filing date for its next IRP for two reasons. First, ULH&P’s evidence presented in Case No. 2003-00252 established that CG&E’s transfer of the three power plants will put ULH&P in a position where no

¹ *In the Matter of The Union Light, Heat and Power Company’s Integrated Resource Plan*, Case No. 2004-00014 (Application) (April 4, 2004).

² *Id.* (Opinion and Order) (January 14, 2005).

³ *Id.*

⁴ *In the Matter of the Application of The Union Light, Heat and Power Company for a Certificate of Public Convenience to Acquire Certain Generation Resources and Related Property; for Approval of Certain Purchase Power Agreements; for Approval of Certain Accounting Treatment; and for Approval of Deviation from Requirements of KRS 278.2207 and 278.2213(6)*, Case No. 2003-00252 (Opinion and Order) (June 17, 2005).

additional capacity is expected to be required until 2011 or 2012.⁶ Since ULH&P does not expect to need any new generating capacity until that time, there is no immediate need for ULH&P to file an IRP. Second, an October 1, 2008 filing date fits well with Cinergy's current resource planning process. Cinergy currently has a Resource Planning Group, which performs the analysis for IRPs for ULH&P, and its Indiana operating company affiliate, PSI Energy, Inc. ("PSI"). PSI is required to file IRPs every odd-numbered year. If ULH&P is permitted to file its next IRP by October 1, 2008, this will benefit customers by allowing Cinergy to use its existing Resource Planning Group to prepare the IRPs for both ULH&P and PSI, which would likely result in lower costs than if Cinergy were to outsource the preparation of an IRP filing.

6. Additionally, ULH&P recommends that the Commission establish the filing dates for ULH&P's future IRPs in each successive IRP case. By 2008, the pending Duke/Cinergy merger should be completed, and ULH&P will be in a better position to recommend a filing date for the following IRP.

7. Finally, ULH&P reports that the SEC has not yet ruled on CG&E's request for approval to transfer the three generating plants to ULH&P. ULH&P understands that the matter is ripe for decision by the SEC and could be decided at any time; however, the SEC has not issued its decision as of the filing date of this application. ULH&P commits that it will notify the Commission as soon as practicable after the SEC issues its decision.

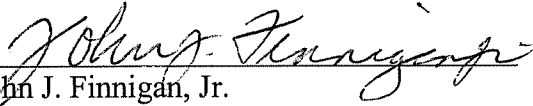
⁵ *Id.*

⁶ *Id.*

WHEREFORE, ULH&P respectfully prays that the Commission grant approval for ULH&P to file its next IRP by October 1, 2008, as requested herein.

Respectfully submitted,

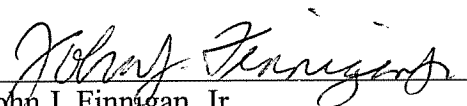
THE UNION LIGHT, HEAT AND POWER
COMPANY


John J. Finnigan, Jr.
Senior Counsel
P. O. Box 960
Room 2500, Atrium II
139 East Fourth Street
Cincinnati, Ohio 45201-0960
(513) 287-3601

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Application of The Union Light, Heat and Power Company to Establish October 1, 2008 as Filing Date for Next Integrated Resource Plan was served on the following parties by overnight mail on this 13th day of September, 2005:

Hon. Elizabeth E. Blackford
Office of Attorney General
Utility Intervention and Rate Division
1024 Capital Center Drive
Frankfort, Kentucky 40601


John J. Finnigan, Jr.