

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CITIPOWER, LLC FOR AN)	
ADJUSTMENT OF RATES PURSUANT TO THE)	CASE NO.
ALTERNATIVE RATE FILING PROCEDURE)	2006-00556
FOR SMALL UTILITIES)	

O R D E R

On December 20, 2006, Citipower, LLC ("Citipower") submitted an application requesting authority to adjust its rates pursuant to 807 KAR 5:076, the alternative rate filing procedure for small utilities.¹ The application failed to meet certain filing requirements and was rejected for filing, pursuant to 807 KAR 5:001, Section 2(2), by letter dated December 27, 2006. In response to the rejection notice, Citipower submitted additional information, and the amended application was considered filed as of January 16, 2007.

On March 16, 2007, Commission Staff served its First Data Request ("Data Request") on Citipower. Citipower's responses were due on March 26, 2007. On March 28, 2007, Citipower filed its motion to withdraw this application. In its motion, Citipower advised that it had based its application on estimated financial data for 2006 but now has actual financial data for 2006. Citipower also noted that, due to the nature

¹ Citipower supplemented its original application on December 27, 2006.

of its motion to withdraw its application, it further requests that the Commission waive any requirement to respond to the Data Request.

The Commission finds that Citipower's request to withdraw its application is reasonable and that the public interest would be better served by basing its rates on actual 2006 data. The Commission similarly finds that Citipower's request for a waiver of its obligation to respond to the Data Request is reasonable and in the public interest.

IT IS HEREBY ORDERED that:

1. Citipower's request to withdraw its application is granted, and this case is closed and removed from the Commission's docket.
2. Based on the prior ordering paragraph, Citipower's obligation to respond to the Data Request is moot and Citipower's obligation to respond is waived.
3. Citipower may refile its application for authority to adjust its rates pursuant to 807 KAR 5:076, the alternative rate filing procedure for small utilities.

Done at Frankfort, Kentucky, this 13th day of April, 2007.

By the Commission

ATTEST



Executive Director