## COMMONWEALTH OF KENTUCKY

## BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

## THE PURCHASED GAS COST ADJUSTMENT)CASE NO.FILING OF DUKE ENERGY KENTUCKY)2007-00362

## <u>O R D E R</u>

This matter is before the Commission on its own motion. Notice is hereby given that the Commission intends to issue a final Order in this matter on or before August 28, 2007. In light of an August 1, 2007 Opinion and Order entered by the Franklin Circuit Court in the matter of *Commonwealth of Kentucky, ex rel. Gregory D. Stumbo, Attorney General, v. Public Service Commission and Union Light, Heat and Power Company,* Civil Action 06-CI-269, the Commission wishes to afford the Attorney General ("AG") and all parties of record the opportunity to comment upon the lawfulness of the requested relief. The Commission has ordered an abbreviated briefing schedule in several cases as a result of the Opinion and Order. This proceeding was not immediately identified by Commission Staff, hence the requirement that briefs be filed simultaneously. As Duke Energy Kentucky and the AG are the parties to the original Accelerated Main Replacement Program litigation giving rise to the Opinion and Order, the Commission trusts that neither party will be materially prejudiced by the abbreviated briefing schedule.

Accordingly, IT IS HEREBY ORDERED that:

1. The AG is made a party to this proceeding and shall serve copies of any and all documents or pleadings filed with the Commission on all other parties of record.

2. The parties shall file with the Commission a Memorandum of Law regarding the lawfulness of the relief sought by Duke Energy Kentucky in this matter no later than 5:00 p.m., Eastern Daylight Time, on August 27, 2007, and shall serve by electronic mail a copy of said Memorandum of Law on opposing counsel.

Done at Frankfort, Kentucky, this 23rd day of August, 2007.

By the Commission

ATTES cutive-Director