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RECEIVED

MAR 18 2009

**PUBLIC SERVICE
COMMISSION**

Via Overnight Mail

March 17, 2009

Mr. Jeff Derouen, Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602

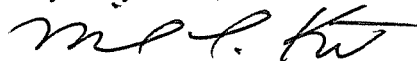
Re: Case No. 2009-00040

Dear Mr. Derouen:

Please find enclosed the original and twelve (12) copies of the FIRST SET OF DATA REQUESTS OF KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC. TO BIG RIVERS ELECTRIC CORPORATION filed in the above-referenced matter. By copy of this letter, all parties listed on the Certificate of Service have been served.

Please place this document of file.

Very Truly Yours,



Michael L. Kurtz, Esq.

BOEHM, KURTZ & LOWRY

MLKkew

Attachment

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by electronic mail (when available) and first-class postage prepaid mail to all parties on the 17th day of March, 2009

Mark A Bailey
President CEO
Big Rivers Electric Corporation
201 Third Street
Henderson, KY 42419-0024


David A Spainhoward
Vice President
Big Rivers Electric Corporation
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Honorable Dennis G Howard II
Honorable Paul Adams
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Office of the Attorney General Utility & Rate
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Owensboro, KY 42302-0727



Michael L. Kurtz, Esq.

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

In The Matter Of: The Application Of Big Rivers Corporation to :
Adjust Electric Rates : Case No. 2009-00040
: :
: :
: :

**FIRST SET OF DATA REQUESTS OF
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.
TO BIG RIVERS CORPORATION**

Dated: March 17, 2009

DEFINITIONS

1. "Document" means the original and all copies (regardless of origin and whether or not including additional writing thereon or attached thereto) of memoranda, reports, books, manuals, instructions, directives, records, forms, notes, letters, notices, confirmations, telegrams, pamphlets, notations of any sort concerning conversations, telephone calls, meetings or other communications, bulletins, transcripts, diaries, analyses, summaries, correspondence investigations, questionnaires, surveys, worksheets, and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments and written comments concerning the foregoing, in whatever form, stored or contained in or on whatever medium, including computerized memory or magnetic media.
2. "Study" means any written, recorded, transcribed, taped, filmed, or graphic matter, however produced or reproduced, either formally or informally, a particular issue or situation, in whatever detail, whether or not the consideration of the issue or situation is in a preliminary stage, and whether or not the consideration was discontinued prior to completion.
3. "Person" means any natural person, corporation, professional corporation, partnership, association, joint venture, proprietorship, firm, or the other business enterprise or legal entity.
4. A request to identify a natural person means to state his or her full name and residence address, his or her present last known position and business affiliation at the time in question.
5. A request to identify a document means to state the date or dates, author or originator, subject matter, all addressees and recipients, type of document (e.g., letter, memorandum, telegram, chart, etc.), number of code number thereof or other means of identifying it, and its present location and custodian. If any such document was, but is no longer in the Company's possession or subject to its control, state what disposition was made of it.
6. A request to identify a person other than a natural person means to state its full name, the address of its principal office, and the type of entity.
7. "And" and "or" should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.
8. "Each" and "any" should be considered to be both singular and plural, unless specifically stated otherwise.
9. Words in the past tense should be considered to include the present, and words in the present tense include the past, unless specifically stated otherwise.
10. "You" or "your" means the person whose filed testimony is the subject of these interrogatories and, to the extent relevant and necessary to provide full and complete answers to any request, "you" or "your" may be deemed to include any person with information relevant to any interrogatory who is or was employed by or otherwise associated with the witness or who assisted, in any way, in the preparation of the witness' testimony.
11. "BREC" means Big Rivers Electric Corporation and/or any of their officers, directors, employees, or agents who may have knowledge of the particular matter addressed.

INSTRUCTIONS

1. If any matter is evidenced by, referenced to, reflected by, represented by, or recorded in any document, please identify and produce for discovery and inspection each such document.
2. These interrogatories are continuing in nature, and information which the responding party later becomes aware of, or has access to, and which is responsive to any request is to be made available to Kentucky Industrial Utility Customers. Any studies, documents, or other subject matter not yet completed that will be relied upon during the course of this case should be so identified and provided as soon as they are completed. The Respondent is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as it first becomes available to the Respondent after the answers hereto are served.
3. Unless otherwise expressly provided, each interrogatory should be construed independently and not with reference to any other interrogatory herein for purpose of limitation.
4. The answers provided should first restate the question asked and also identify the person(s) supplying the information.
5. Please answer each designated part of each information request separately. If you do not have complete information with respect to any interrogatory, so state and give as much information as you do have with respect to the matter inquired about, and identify each person whom you believe may have additional information with respect thereto.
6. In the case of multiple witnesses, each interrogatory should be considered to apply to each witness who will testify to the information requested. Where copies of testimony, transcripts or depositions are requested, each witness should respond individually to the information request.
7. The interrogatories are to be answered under oath by the witness(es) responsible for the answer.
8. Responses to requests for revenue, expense and rate base data should provide data on the basis of Total company as well as Intrastate data, unless otherwise requested.

**FIRST SET OF DATA REQUESTS OF
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.
CASE NO. 2009-00040**

- Q.1-1. Please provide Big Rivers current cash balance.
- Q.1-2. Please provide Big Rivers' 12-month ending TIER and DSC for each month from January 2008 to date. Please provide the calculations that support your answer.
- Q.1-3. Please provide Big Rivers' projected 12-month ending TIER and DSC for each month of 2009. Please provide the calculations that support your answer.
- Q.1-4. Please state Big Rivers' minimum TIER and DSC under its RUS loan agreements.
- Q.1-5. With respect to Big Rivers \$15 million line of credit with CFC:
- a. How much of that line of credit is currently available to Big Rivers?
 - b. Please provide the loan agreements with CFC.
 - c. How much of that line of credit was available at month end for each month from January 2008 to date?
- Q.1-6. With respect to Big Rivers \$2.5 million unsecured line of credit with CFC:
- a. How much of that line of credit is currently available to Big Rivers.
 - b. Please provide the loan agreements with CFC.
- Q.1-7. With respect to the \$3 million of additional unsecured financing from CFC:
- a. How much of that financing is currently available to Big Rivers?
 - b. Please provide the loan agreements with CFC.
- Q.1-8. Please provide all documents, memos, presentations or e-mails provided to or received from CFC over the last twelve months.
- Q.1-9. Please provide all documents, memos, presentations, studies or e-mails in the possession of Big Rivers or its advisers (including Goldman Sachs) that relate in any way to Big Rivers' ability to obtain financing during any time in 2009.
- Q.1-10. Please provide all documents, memos, presentations or e-mails provided to or received from Moody's in the past twelve months.
- Q.1-11. Please provide all documents, memos, presentations, or e-mails provided to or received from S&P in the past twelve months.

Q.1-12. Please provide all Big Rivers Board of Directors minutes and presentations made to the Board over the last twelve months.

Q.1-13. Please refer to Exhibit 47, p. 46 of 60:

- a. How much money does E.ON claim Big Rivers owes it for Energy Imbalance services.
- b. Please provide all documents, memos or e-mails provided to or received from E.ON on the Energy Imbalance issue.

Q.1-14. Please provide all financial models in electronic format with cells intact that were used to develop:

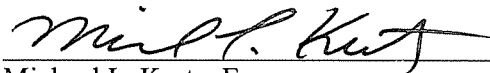
- a. Exhibit 42 (Filing requirement 807 KAR 5:001 Section 10(7)(d)).
- b. Exhibit Seelye-2 (including schedules 1.01 – 1.13).
- c. Exhibit Seelye-4.

Q.1-15. Please update Exhibit Seelye-2, Schedule 1.01 with current NOX allowance prices.

Q.1-16. Please refer to Exhibit Spainhoward-1 (transmission plant expenditures and general plant expenditures construction budget for 2009).

- a. Please identify which of these budget items Big Rivers has considered deferring past 2009.
- b. Please identify which of these budget items Big Rivers currently plans to defer past 2009.
- c. Please provide all documents, memos, e-mails or studies which discuss or address which 2009 budget items may be deferred past 2009.

Respectfully submitted,



Michael L. Kurtz, Esq.

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**COUNSEL FOR KENTUCKY INDUSTRIAL
UTILITY CUSTOMERS, INC.**

March 17, 2009