

BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW
36 EAST SEVENTH STREET
SUITE 1510
CINCINNATI, OHIO 45202
TELEPHONE (513) 421-2255
TELECOPIER (513) 421-2764

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PUBLIC SERVICE
COMMISSION

VIA OVERNIGHT MAIL

April 20, 2009

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

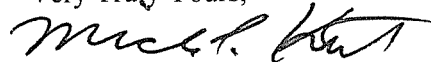
Re: Case No. 2009-00040

Dear Mr. Derouen:

Please find enclosed the original and twelve (12) copies of the KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.'s SECOND SET OF DATA REQUEST TO BIG RIVERS 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 20TH day of April, 2009.

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

Douglas Beresford
Hogan & Hartson, L.L.P.
555 Thirteenth Street, N.W.
Washington, DC 20004-1109

Geoff F Hobday, Jr
Hogan & Hartson, L.L.P.
555 Thirteenth Street, N.W.
Washington, DC 20004-1109

Honorable James M Miller
Attorney at Law
Sullivan, Mountjoy, Stainback & Miller, PSC
100 St. Ann Street
P.O. Box 727
Owensboro, KY 42302-0727

David A Spainhoward
Vice President
Big Rivers Electric Corporation
201 Third Street
Henderson, KY 42419-0024

Honorable Dennis G Howard II
Honorable Paul Adams
Assistant Attorney General
Office of the Attorney General Utility & Rate
1024 Capital Center Drive
Suite 200
Frankfort, KY 40601-8204



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
:
:
:

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

Dated: April 20, 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 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.

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

- Q.2-1. Refer to the Company's response to KIUC 1-2.
- a. Please provide the source of the DSC and TIER definitions described in the response.
 - b. Provide a copy of all source documents relied on for this response.
 - c. Please identify all mortgage and/or other loan documents and agreements that established DSC and/or TIER requirements that rely on these definitions of DSC and TIER.
- Q.2-2. Refer to the Company's response to KIUC 1-3. Please provide a copy of the Company's model used to create the results shown on the schedule attached to the narrative response. Include all assumptions, data, and computations, including electronic spreadsheets with formulas intact.
- Q.2-3. Refer to Seelye Exhibit 2 Schedule 1.04. Please provide the detailed computations by month and in total for the pro forma test year for each item on lines 1-13. Show the computations for each debt issue, including the timing of the expense accruals and interest payments and the interest rates assumed on each issue. The computations should be provided in the form of an electronic spreadsheet with all formulas intact.
- Q.2-4. Refer to Seelye Exhibit 2 Schedule 1.04. Please provide the amount of interest expense included on the PMCC note by month on lines 5 and 6 of this schedule.
- Q.2-5. Refer to page 11 lines 7-8 of Mr. Seelye's Direct Testimony wherein he states that "Big Rivers estimates it will be unable to meet its debt service obligations beginning the first business day of January 2010 without . . . (iii) successfully refinancing or restructuring certain debt obligations."
- a. Please identify each of the referenced debt obligations.
 - b. For each debt obligation identified in response to part (a) of this question, please provide a detailed description of all actions undertaken by or on behalf of Big Rivers to refinance or restructure that specific debt obligation. Provide the descriptions of the actions taken according to a chronological timeline and provide the dates at which the actions were undertaken and/or in process.
- Q.2-6. Refer to Seelye Exhibit 2 Schedule 1.11.
- a. Please provide all assumptions, data and workpapers, including electronic spreadsheets with formulas intact used to prepare this Schedule. This includes, but is not limited to, the historic test year amounts and the pro forma test year amounts for each of the lines 2-3 and 6-8.
 - b. Please provide a version of Schedule 1.11 with the historic test year amounts, the pro forma adjustments shown on that schedule and then the resulting pro forma test year amounts.
 - c. Please provide a detailed narrative of the specific revenues and/or expenses, including which FERC accounts those revenues and/or expenses are recorded in, that are reflected in each line 2-3 and 6-8 on the schedule provided in response to part (b) of this question.

- d. Provide a narrative description of how the Company projected the pro forma test year amounts reflected in the final column for each line 2-3 and 6-8 of the schedule provided in response to part (b) of this question.
- e. Please provide the forward market price curves used to develop the non-tariff energy sales revenues, the source of those market prices and a copy of all source data and/or documents used to project the non-tariff energy sales by month used to compute the pro forma revenues reflected in the final column on line 2 of the schedule provided in response to part (b) of this question.
- f. Please provide the projected purchased power expense to make the non-tariff energy sales, the source of the expense and a copy of all source data and/or documents used to project the purchased power expense to make the non-tariff energy sales by month used to compute the pro forma revenues reflected in the final column on line 2 of the schedule provided in response to part (b) of this question.
- g. Please provide the computation of the non-tariff energy sales revenues, purchased power expense to make those sales, including the projections of mWh sales and losses, and the arbitrage margins by month for the pro forma test year used to compute the pro forma revenues in the final column on line 2 of the schedule provided in response to part (b) of this question. Provide all assumptions, data, computations and workpapers, including electronic spreadsheets with formulas intact.
- h. Please provide the computation of the revenues, purchased power expense and margins for sales to smelters, including the mWh sales and losses and the prices per mWh and expenses per mWh by month for the pro forma test year used to compute the pro forma revenues in the final column on line 2 of the schedule provided in response to part (b) of this question.
- i. Please provide the computation by month of the other operating revenue and income for the pro forma test year on line 3 of the schedule provided in response to part (b) of this question. Provide all assumptions, data, computations, and workpapers, including electronic spreadsheets with cell formulas intact.
- j. Please provide the computation by month of the purchased power expense for the pro forma test year on line 6 of the schedule provided in response to part (b) of this question. Provide all assumptions, data, computations, and workpapers, including electronic spreadsheets with cell formulas intact.
- k. Please provide the computation by month of the other expenses for the pro forma test year on line 7 of the schedule provided in response to part (b) of this question. Provide all assumptions, data, computations, and workpapers, including electronic spreadsheets with cell formulas intact.
- l. Please provide the computation by month of the transmission expense for the pro forma test year on line 8 of the schedule provided in response to part (b) of this question. Provide all assumptions, data, computations, and workpapers, including electronic spreadsheets with cell formulas intact.
- m. Please provide a reconciliation between the historic test year by month and in total and the pro forma test year by month and in total showing sources and uses of energy. On the same schedule, show the costs of these sources of energy by FERC account and the revenues for the uses of energy by FERC account.

Q.2-7. Refer to page 55 lines 12-20 of Mr. Blackburn's Direct Testimony.

- a. Please confirm that the SEPA resource was non-firm during the historic test year. If any of the SEPA contract purchases were firm during the historic test year, then provide a schedule showing by month the mWh and mW firm purchases and the mWh non-firm purchases. On that schedule also show the demand charges and energy charges by month for the firm and non-firm purchases.
- b. Please provide a detailed description of the changes reflected in the Company's pro forma test year for SEPA purchases compared to the historic test year.
- c. Please provide the LEM and SEPA contract purchases by month for the historic test year included in purchased power expense. Provide the mWh and the dollar amount for each contract for each month and the historic test year totals.
- d. Provide the LEM and SEPA purchases by month for the pro forma test year included in purchased power expense. Provide the mWh and the dollar amount for each contract for each month and the pro forma test year totals.
- e. Refer to lines 17-19. Please explain why "it was necessary for Big Rivers to project hourly energy purchases from the open market to support its native load during peak months in 2009."

Q.2-8. Please provide the Company's "Arbitrage Report" to the Board of Directors for March 2009 and each month continuing thereafter for the duration of this proceeding.

Q.2-9. Please provide the amount of the CFC line of credit available at the end of March 2009 and each month continuing thereafter for the duration of this proceeding. Provide this information in the same format as the Company's response to KIUC 1-5.

Q.2-10. Please provide the Company's actual cash (including cash equivalents) balances at month end for each month December 2007 through March 2009 (April if available at the date of the response to this request).

Q.2-11. Please provide the Company's projected cash (including cash equivalents) balances at month end for each month April 2009 through January 2010. For this purpose, assume that the Commission grants the entirety of the Company's annual base rate increase on an interim basis effective July 1, 2009 and assume that the Company implements the capital budget and O&M expense reductions reflected on the Company's Redirect Exhibit 2 presented at the March 26, 2009 hearing in this proceeding. Provide all assumptions, data, computations and workpapers, including electronic spreadsheets with formulas intact.

Q.2-12. Please provide copies of the RUS Form 12a for the month of January for the years 1998-2009.

Q.2-13. For each month from December 2007 to the present (this data request is continuing and should be supplemented) please provide:

- a. The amount of arbitrage margin actually earned.
- b. The amount of purchase power costs actually incurred broken out separately by source.

Q.2-14. For each month of the pro forma test year please provide.

- a. The pro forma amount of arbitrage margin.
- b. The pro forma purchase power costs broken out separately by source.

Q.2-15. for each month over the period January 2008 to the present, please provide the amount of bonus payments made to any employee or director of Big Rivers, and the number of employees or directors receiving the bonus.

Respectfully submitted,



Michael L. Kurtz, Esq.

BOEHM, KURTZ & LOWRY

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: (513) 421-2255 Fax: (513) 421-2764

E-Mail: mkurtz@BKLawfirm.com

kboehm@BKLawfirm.com

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