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June 26, 2009

Via Federal Express

Jeff DeRouen
Executive Director
Public Service Commission
211 Sower Boulevard, P.O. Box 615
Frankfort, Kentucky 40602-0615

RECEIVED

JUN 29 2009

PUBLIC SERVICE
COMMISSION

Re: In the Matter of: Notice and Application of
Big Rivers Electric Corporation for a General
Rate Adjustment in Rates, P.S.C. Case No. 2009-00040
Data Request to Kentucky Industrial Utility Customers, Inc.

Dear Mr. DeRouen:

Enclosed for filing are an original and ten copies of Big Rivers Electric Corporation's data requests to Kentucky Industrial Utility Customers, Inc. I certify that a copy of this letter and a copy of the data requests have been served on each party of record.

Sincerely,



Tyson Kamuf

TAK/ej
Enclosures

cc: Service List
Mark Bailey (w/attachments)
David Spainhoward (w/attachments)
Lane Kollen (w/attachments)

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SERVICE LIST
BIG RIVERS ELECTRIC CORPORATION
PSC CASE NO. 2009-00040

Hon. Dennis Howard
Assistant Attorney General
Office of the Attorney General
Utility & Rate Intervention Division
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601-8204

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

In the Matter of:

NOTICE AND APPLICATION OF)	
BIG RIVERS ELECTRIC CORPORATION)	CASE NO.
FOR A GENERAL ADJUSTMENT IN)	2009-00040
RATES)	

**BIG RIVERS ELECTRIC CORPORATION'S DATA REQUESTS TO KENTUCKY
INDUSTRIAL UTILITY CUSTOMERS, INC.**

Big Rivers Electric Corporation submits these data requests to Kentucky Utility Industrial Utility Customers, Inc., to be answered in accordance with the following Definitions and Instructions.

DEFINITIONS

1. Whenever it is necessary to bring within the scope of these data requests documents that otherwise might be construed to be outside their scope (1) the use of “and” as well as “or” shall be construed both disjunctively and conjunctively; (2) the use of a word in its singular form shall be construed to include within its meaning its plural form as well, and vice versa; (3) the use of “include” and “including” shall be construed to mean “without limitation”; and (4) the use of a verb in any tense or voice shall be construed as the use of that verb in all other tenses and voices.

2. “Big Rivers” means Big Rivers Electric Corporation.

3. “KIUC,” “you,” or “your” means Kentucky Industrial Utility Customers, Inc., its agents, officers, directors, and employees, and Lane Kollen.

4. “Mr. Kollen” means Lane Kollen.

5. “Commission” means the Kentucky Public Service Commission.

6. “Document” means any written, recorded, transcribed, printed or impressed matter of whatever kind, however produced, stored or reproduced, including, but not limited to, sound or pictorial recordings, computerized information, books, pamphlets, letters, memoranda, telegrams, electronic or mechanical transmissions, communications of all kinds, reports, notes, working papers, handwritings, charts, papers, writings, printings, transcriptions, tapes and records of all kinds.

7. “Person” includes a natural person, a business organization of any type, an unincorporated association, a governmental subdivision, agency, or entity, and a business trust.

INSTRUCTIONS

1. If any document called for by any of these data requests is withheld based upon a claim of privilege or work product, please produce so much of the document as to which you do not claim privilege or protection, and for each document or part of a document for which you claim privilege or protection, describe or identify:

- a. The nature, subject matter and substance of the document or part of the document withheld;
- b. The nature of the privilege or protection claimed;
- c. The date, author or authors, addressee or addressees, and distribution of the document;
- d. Each person in whose possession, custody or control any copy of the document is or has been; and
- e. Paragraph number of the schedule of documents to which the document or part of the document is responsive.

2. If, for reasons other than a claim of privilege or work product, you refuse to answer any data request or to produce any document requested, state the grounds upon which the refusal is based with sufficient specificity to permit a determination of the propriety of such refusal.

3. If any copy of any document requested herein or any record which refers or relates to any document requested herein has been destroyed or lost, set forth to the extent possible the content of each such document, the date such document and its copies were destroyed or lost and, if destroyed, the identity of the person authorizing such destruction, and the identity of the last known custodian of such document prior to its destruction.

4. These data requests shall be deemed continuing and you should serve upon Big Rivers' counsel (i) supplemental responses to these data requests if additional information or information that changes your response to any data request is obtained during the course of this proceeding, and (2) any documents requested herein that become available or that are discovered after the date your responses to these data requests are due.

DATA REQUESTS

(1) Provide a copy of all Documents, including workpapers, created, used or relied upon (a) by Lane Kollen to prepare his direct testimony or to support an opinion reflected in his direct testimony, or (b) by KIUC to prepare its responses to these data requests. If the Document is an electronic spreadsheet, please provide an electronic copy of the spreadsheet with formulae intact.

(2) Provide a copy of testimony, including all exhibits, appendices and other attachments, submitted by Mr. Kollen in the following proceedings:

(a) Testimony submitted 10/93 in Louisiana in Case No. U-17735 regarding Cajun Electric Power Cooperative.

(b) Testimony submitted 9/94 in Louisiana in Case No. U-17735 regarding Cajun Electric Power Cooperative.

(c) Testimony submitted 11/94 in Louisiana in Case No. U-17735 (Rebuttal) regarding Cajun Electric Power Cooperative.

(d) Testimony submitted 10/98 in Louisiana in Case No. U-17735 regarding Cajun Electric Power Cooperative.

(e) Testimony submitted 08/00 in Louisiana in Case No. U-24064 regarding CLECO.

(f) Testimony submitted 12/04 in Kentucky in Case Nos. 2004-00321 and 2004-00372 regarding East Kentucky Power Cooperative., Big Sandy RECC, et al.

(g) Testimony submitted 03/07 in Louisiana in Case No. U-29157 regarding CLECO Power, LLC.

(h) Testimony submitted 07/07 in Kentucky in Case No. 2006-00472 regarding East Kentucky Power Cooperative.

(i) Testimony submitted 06/08 in Kentucky in Case No. 2008-00115 regarding East Kentucky Power Cooperative.

(j) Testimony submitted 02/09 in Kentucky in Case No. 2008-00409 regarding East Kentucky Power Cooperative, Inc.

(3) Mr. Kollen suggests on pages 3 and 15 of his testimony that Big Rivers can alleviate its “temporary cash shortfall” by, among other things, borrowings from its Member cooperatives or “other sources.”

(a) Has Mr. Kollen perform an investigation or analysis of the legal and financial ability of each of Big Rivers’ Members to make a loan to Big Rivers? If the answer to this question is “yes,” please provide a copy of each Document created, used or relied upon by Mr. Kollen in connection with that investigation and analysis.

(b) Has Mr. Kollen perform an investigation or analysis that identified any “other sources” that either would or would not be willing to make an unsecured loan to Big Rivers? If the answer to the foregoing question is “yes,” please provide the following:

(i) a copy of each Document created, used or relied upon by Mr. Kollen in connection with that investigation and analysis; and

(ii) the name and address of the lending “source,” the name and telephone number of the Person with whom Mr. Kollen, or anyone acting for or on behalf of Mr. Kollen, had any communications about lending to Big Rivers, any requirements the source identified for lending to Big Rivers, and the terms on which the source would be willing to lend to Big Rivers.

(4) Provide a calculation, including a statement of any and all assumptions employed to make the calculation, to support the \$6.664 million reduction in annual interest expense on the 2001 Bonds shown on page 10, line 23 of Mr. Kollen’s testimony. Please provide a copy of each Document created, used or relied upon by Mr. Kollen in connection with that calculation.

(5) Provide the calculation, including a statement of any and all assumptions employed, used to determine the \$17.750 “Bank” bonds amount shown on page 11, line 16 of Mr. Kollen’s testimony. Please provide a copy of each Document created, used or relied upon by Mr. Kollen in connection with that determination.

(6) Provide a copy of each Document created, used or relied upon by Mr. Kollen to reach the conclusion on page 15, lines 10-11 of his testimony that “the cash shortfall is temporary and will be resolved in the normal course of the Company’s business.” List separately all assumptions Mr. Kollen relied upon to form that opinion.

(7) Calculate the amount of cash Mr. Kollen believes Big Rivers will have on hand on January 5, 2010, on January 20, 2010, and on January 5, 2011, assuming the rate increase proposed by Mr. Kollen in his direct testimony is put into effect, and assuming that all of the adjustments proposed by Mr. Kollen in his testimony are adopted by the Commission.

(a) Provide the results of these calculations, and list all assumptions relied upon to perform these calculations.

(b) If the results of these calculations assume any borrowing or refinancing, list separately the assumptions made as to interest rates and borrowing costs, provide all Documents that support those assumptions, and provide all Documents which indicate that those assumptions are known and reasonable.

(c) If the results of the calculations relied upon use of Big Rivers’ line of credit with CFC, state separately any changes Mr. Kollen assumed in arbitrage revenues

or purchase power costs to account for the reduction in Big Rivers' ability to transact in the market.

(d) Provide a copy of each Document created, used or relied upon by Mr. Kollen that reflects the impact of Mr. Kollen's rate increase recommendation on Big Rivers' cash flows and revenue requirements, whether on a current, *pro-forma*, test year, projected, or any other basis.

(8) Provide all Documents relied on by Mr. Kollen to conclude that Big Rivers' requested increase includes \$0.347 million for Mr. Core.

(9) On page 12, lines 17-20 of his testimony, Mr. Kollen states that the Commission authorized a TIER of 1.35 for East Kentucky Power Cooperative in Case No. 2006-00472. Provide a copy of the Commission's Order in Case No. 2006-00472 and indicate precisely where in that Order the Commission authorized a TIER of 1.35 in the determination of rates in that proceeding.

(10) On page 12, lines 17-20 of his testimony, Mr. Kollen states that the Commission authorized a 1.35 TIER for East Kentucky Power Cooperative "primarily to address that cooperative's difficult financial circumstances." Indicate precisely where in the Order in Case No. 2006-00472 the Commission indicated that the 1.35 TIER was authorized primarily to address East Kentucky Power's difficult financial circumstances.

(11) On page 3 of Lane Kollen's direct testimony, he recommends that the Commission increase Big Rivers' base rates by no more than \$3.579 million. Please provide the effective date for the rate increase that Mr. Kollen recommends.

(12) Has Mr. Kollen ever recommended that a jurisdictional or non-jurisdictional utility's rates should be set on a cash basis, or has he ever recommended that a jurisdictional or non-jurisdictional cooperative's rates should be set on a non-TIER basis? If yes, provide the name of the case in which he made the recommendation, the jurisdiction and case number of the case, and all of Mr. Kollen's testimony filed in the case. If not a jurisdictional case, please state the company name and provide a copy of all Documents relating to the recommendation.

(13) Provide a copy of each Document created, used or relied upon by Mr. Kollen to develop his arbitrage revenue recommendation found in his direct testimony on page 18, lines 6 through 15.

(14) Provide a copy of each Document created, used or relied upon by Mr. Kollen to develop his allowance expense recommendation found in his direct testimony on pages 22 and 23.

(15) Which retail customers on the Big Rivers system are KIUC members? Which retail customers on the Big Rivers system that are KIUC members are funding and supporting KIUC's appearance in this proceeding?

Respectfully submitted,

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