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PUBLIC SERVICE  
COMMISSION

Jeff DeRouen  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602-0615

**Kentucky Utilities Company**  
State Regulation and Rates  
220 West Main Street  
PO Box 32010  
Louisville, Kentucky 40232  
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Robert M. Conroy  
Director - Rates  
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September 10, 2009

**RE: AN EXAMINATION OF THE APPLICATION OF THE  
FUEL ADJUSTMENT CLAUSE OF KENTUCKY  
UTILITIES COMPANY FROM NOVEMBER 1, 2008  
THROUGH APRIL 30, 2009 - CASE NO. 2009-00287**

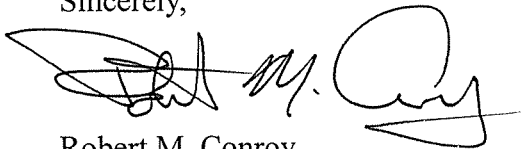
Dear Mr. DeRouen:

Enclosed please find an original and five (5) copies of the Response of Kentucky Utilities Company to Information Requested in the Appendix of the Commission's Order dated August 20, 2009, in the above-referenced proceeding.

Also enclosed are an original and ten (10) copies of a Petition for Confidential Protection regarding certain information provided in response to Question No. 12(a) and Question No. 19.

Please contact me if you have any questions concerning this filing.

Sincerely,



Robert M. Conroy

Enclosures

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

**In the Matter of:**

**AN EXAMINATION OF THE APPLICATION OF THE )  
FUEL ADJUSTMENT CLAUSE OF KENTUCKY ) CASE NO.  
UTILITIES COMPANY FROM NOVEMBER 1, 2008 ) 2009-00287  
THROUGH APRIL 30, 2009 )**

**RESPONSE OF  
KENTUCKY UTILITIES COMPANY  
TO  
INFORMATION REQUESTED IN  
APPENDIX OF COMMISSION'S ORDER  
DATED AUGUST 20, 2009**

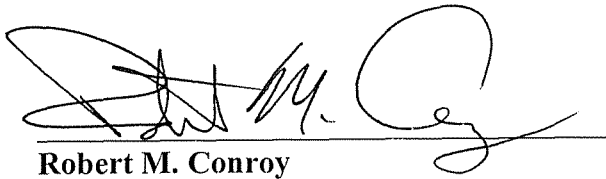
**FILED: September 10, 2009**



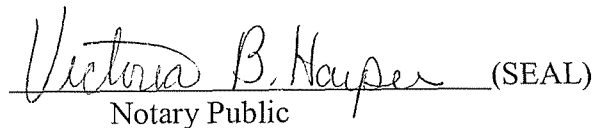
VERIFICATION

STATE OF KENTUCKY    )  
  ) SS:  
COUNTY OF JEFFERSON )

The undersigned, **Robert M. Conroy**, being duly sworn, deposes and says that he is the Director of Rates for E.ON U.S. Services Inc., that he has personal knowledge of the matters set forth in the responses for which he is identified as the witness, and the answers contained therein are true and correct to the best of his information, knowledge and belief.

  
Robert M. Conroy

Subscribed and sworn to before me, a Notary Public in and before said County and State, this 8<sup>th</sup> day of September, 2009.

 (SEAL)  
Notary Public

My Commission Expires:

Sept 20, 2010

**VERIFICATION**

STATE OF KENTUCKY    )  
                                  ) SS:  
COUNTY OF JEFFERSON )

The undersigned, **Mike Dotson**, being duly sworn, deposes and says that he is the Manager, LG&E and KU Fuels, for E.ON U.S. Services Inc., that he has personal knowledge of the matters set forth in the responses for which he is identified as the witness, and the answers contained therein are true and correct to the best of his information, knowledge and belief.

*Mike Dotson*  
\_\_\_\_\_  
**Mike Dotson**

Subscribed and sworn to before me, a Notary Public in and before said County and State, this 9<sup>th</sup> day of September, 2009.

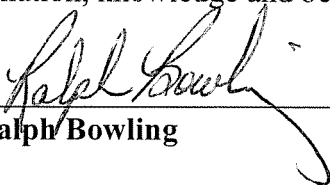
*Victoria B. Harper* (SEAL)  
\_\_\_\_\_  
Notary Public

My Commission Expires:  
Sept 20, 2010

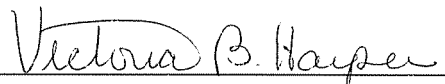
VERIFICATION

STATE OF KENTUCKY    )  
  ) SS:  
COUNTY OF JEFFERSON )

The undersigned, **D. Ralph Bowling**, being duly sworn, deposes and says that he is Vice President, Power Production for Kentucky Utilities Company and an employee of E.ON U.S. Services Inc., and that he has personal knowledge of the matters set forth in the responses for which he is identified as the witness, and the answers contained therein are true and correct to the best of his information, knowledge and belief.

  
\_\_\_\_\_  
**D. Ralph Bowling**

Subscribed and sworn to before me, a Notary Public in and before said County and State, this 8<sup>th</sup> day of September, 2009.

 (SEAL)  
\_\_\_\_\_  
Notary Public

My Commission Expires:

Sept 20, 2010

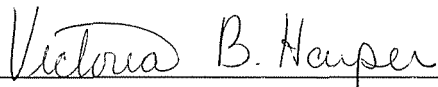
VERIFICATION

STATE OF KENTUCKY    )  
  ) SS:  
COUNTY OF JEFFERSON )

The undersigned, **Charles R. Schram**, being duly sworn, deposes and says that he is the Director of Engineering Planning, Analysis and Forecast for E.ON U.S. Services Inc., that he has personal knowledge of the matters set forth in the responses for which he is identified as the witness, and the answers contained therein are true and correct to the best of his information, knowledge and belief.

  
\_\_\_\_\_  
**Charles R. Schram**

Subscribed and sworn to before me, a Notary Public in and before said County and State, this 9<sup>th</sup> day of September, 2009.

 (SEAL)  
\_\_\_\_\_  
Notary Public

My Commission Expires:  
Sept 20, 2010

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 1**

**Witness: Mike Dotson**

Q-1. For the period from November 1, 2008 through April 30, 2009, list each vendor from whom coal was purchased and the quantities and nature of each purchase (e.g., spot or contract).

A-1. Please see the attached sheet.



<u>VENDOR</u>	<u>PURCHASE TONNAGE</u>	<u>PURCHASE TYPE</u>
Alpha Coal	153,204	Contract
Arch Coal	69,150	Spot
Arch Coal	75,323	Contract
Armstrong Coal	66,534	Spot
Armstrong Coal	101,125	Contract
Black Beauty	44,884	Contract
Charolais	268,965	Contract
Coal Network	202,253	Spot
COALSALES	10,859	Spot
Coaltrade LLC	14,587	Spot
Consol	509,712	Contract
Covenant Coal	54,263	Spot
Duke Energy Ohio	77,053	Spot
Emerald Internat'l	57,742	Contract
Hopkins County	56,963	Contract
ICG (Rail)	204,671	Contract
ICG, LLC	52,535	Spot
Infinity Coal Sales, LLC	117,058	Contract
Knight Hawk	19,352	Spot
Marietta	8,181	Spot
Marietta	8,067	Contract
Nally & Hamilton	175,384	Contract
Patriot	386,090	Contract
Peabody CoalSales	26,449	Contract
Peabody CoalTrade	39,258	Spot
Perry County Coal	152,343	Contract
Producers Dock	86,510	Spot
Rhino Energy	102,988	Contract
Sands Hill	15,077	Contract
Southern App. Fuel	54,532	Contract
The American Coal Co.	252,900	Contract
Trinity Coal	416,475	Contract
West Ky Mineral	<u>30,068</u>	Spot
TOTAL	3,910,555	

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 2**

**Witness: Christopher D. Balmer**

Q-2. For the period from November 1, 2008 through April 30, 2009, list each vendor from whom natural gas was purchased for generation and the quantities and nature of each purchase (e.g., spot or contract).

A-2. Presented below are the total natural gas purchases for both LG&E and KU.

<i>(MMBTU)</i>								
<i>Supplier</i>	<i>Deal Term</i>	<i>Nov-08</i>	<i>Dec-08</i>	<i>Jan-09</i>	<i>Feb-09</i>	<i>Mar-09</i>	<i>Apr-09</i>	<i>Totals</i>
BG Energy Merchants	Spot		2,600					2,600
BP Energy	Spot		14,198	13,250	5,000	20,000	13,070	65,518
Chevron Natural Gas	Spot	7,000	14,705					21,705
CIMA Energy	Spot				140,000	128,147	5,000	273,147
Colonial Energy	Spot	10,800	8,144	11,728	22,169	6,500		59,341
Conoco Phillips	Spot	0	26,300	61,384	11,300	0	0	98,984
Constellation	Spot			39,739	46,500			86,239
Enbridge	Spot			9,000		7,000		16,000
Louis Dreyfus Louisville Gas & Elec. (IntraCo.)	Contract	29,957	39,348	52,442	32,241	29,602	32,704	216,294
NJR Energy Service	Spot	10,000	65,050	261,750	105,900	60,136	69,300	572,136
Oneok Energy	Spot	9,800		21,000	3,500			34,300
Sequent Energy	Spot			39,500	57,500	9,000	37,500	143,500
Shell Energy	Spot						34,049	34,049
SW Energy	Spot						10,000	10,000
Tenaska Mktg	Spot	7,500	121,650	58,824	154,900	24,500	50,900	418,274
United Energy	Spot						1,496	1,496
<b><i>Totals (MMBTU)</i></b>		<b><i>75,057</i></b>	<b><i>291,995</i></b>	<b><i>578,617</i></b>	<b><i>579,010</i></b>	<b><i>284,885</i></b>	<b><i>254,019</i></b>	<b><i>2,063,583</i></b>

Please note that purchases from Louisville Gas & Electric (IntraCo) are primarily for LG&E owned coal and gas fired generation served by the local distribution company; however, other natural gas purchases are made on an aggregate basis and not by utility ownership percentages of individual generating units. LG&E and KU have joint ownership in certain CT units. Trimble County Units 5 and 6 are owned 71% by KU and 29% by LG&E. Trimble County Units 7, 8, 9, and 10 are owned 63% by KU and 37% by LG&E. Brown Unit 5 and Paddy's Run 13 are owned 47% by KU and 53% by LG&E. Brown Units 6 and 7 are owned 62% by KU and 38% by LG&E. Fuel expenses, not individual natural gas purchase transactions, are allocated to the Companies based on their respective ownership percentages.

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 3**

**Witness: Christopher D. Balmer**

Q-3. Does KU engage in hedging activities for its natural gas purchases used for generation? If yes, describe the hedging activities in detail.

A-3. No.

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 4**

**Witness: Mike Dotson / Charles R. Schram**

Q-4. For each generating station or unit for which a separate coal pile is maintained, state for the period from November 1, 2008 through April 30, 2009 the actual amount of coal burned in tons, the actual amount of coal deliveries in tons, the total kWh generated, and the actual capacity factor at which the plant operated.

A-4. For November 1, 2008 to April 30, 2009

The North American Electric Reliability Council Generation Availability Data System defines Capacity Factor as the value equal to the Net MWh produced divided by the product of the hours in the period times the unit rating.

Plant	Coal Burn (Tons)	Coal Receipts (Tons)	Net MWh	Capacity Factor (Net MWh)/ (period hrs x MW rating)
E. W. Brown 1, 2, 3	715,001	813,404	1,632,876	53.4%
Ghent HS coal	2,235,395	2,484,789	4,767,964	76.7%
Ghent Compliance coal	473,756	376,883	1,085,755	53.6%
Green River 3, 4	142,615	196,807	298,171	39.7%
Tyrone 3	33,735	38,671	69,028	21.8%

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 5**

**Witness: Charles R. Schram**

Q-5. List all firm power commitments for KU from November 1, 2008 through April 30, 2009 for (a) purchases and (b) sales. This list shall identify the electric utility, the amount of commitment in MW, and the purpose of the commitment (e.g., peaking, emergency).

A-5. a. Firm Purchases

The firm purchases from Owensboro Municipal Utilities ("OMU") for the review period are shown below. KU has described the status of the litigation associated with the OMU contract and OMU's notice of termination of the contract in numerous responses to requests for information issued in the Commission's six-month and two-year investigations of the operation of KU's fuel adjustment clause and in other updates provided to the Commission. In May 2009, the parties negotiated a settlement of all litigated claims whereby the parties accepted all rulings made by the Court, KU was paid the full amount of the Judgment entered in its favor, and no appeals were filed. As a result of that settlement, the litigation has ended, and the contract with OMU will terminate on May 16, 2010.

<u>Utility</u>	<u>MW</u>	<u>Purpose</u>
Owensboro Municipal Utilities	~ 177	Baseload

The firm purchases from Ohio Valley Electric Corporation (OVEC) for the review period are shown in the table below. KU purchased its participation ratio (2.5%) of the OVEC released capacity for the months in question:

Utility	Companies' Amt (MW)	KU Portion (MW)	Purpose
OVEC (Nov 2008)	~ 151	~ 46	Baseload
OVEC (Dec 2008)	~ 160	~ 49	Baseload
OVEC (Jan 2009)	~ 181	~ 56	Baseload
OVEC (Feb 2009)	~ 169	~ 52	Baseload
OVEC (Mar 2009)	~ 161	~ 50	Baseload
OVEC (Apr 2009)	~ 146	~ 45	Baseload

b. Sales

NONE

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 6**

**Witness: Robert M. Conroy**

Q-6. Provide a monthly billing summary for sales to all electric utilities for the period November 1, 2008 through April 30, 2009.

A-6. Please see the attached sheets.



Kentucky Utilities Company

POWER TRANSACTION SCHEDULE

Month Ended: November 30, 2008

Company	Type of Transaction	KWH	Billing Components			Total Charges(\$)
			Demand(\$)	Fuel Charges(\$)	Other Charges(\$)	
<b>Sales</b>						
MIDWEST INDEPENDENT TRANSMISSION SYSTEM OPERATOR, MISO	Economy	21,909,000		766,453.64	339,717.76	1,106,171.40
MIDWEST CONTINGENCY RESERVE SHARING GROUP	Economy	16,000		1,219.19	544.39	\$ 1,763.58
PJM INTERCONNECTION ASSOCIATION	Economy	24,425,000		\$862,011.17	382,072.04	\$ 1,244,083.21
ASSOCIATED ELECT COOPERATIVE	Economy	173,000		6,475.28	2,895.63	9,370.91
AMEREN ENERGY MARKETING COMPANY	Economy	31,000		1,496.06	669.01	2,165.07
CARGILL- ALLIANT, LLC	Economy	82,000		2,888.46	1,291.67	4,180.13
CITIGROUP ENERGY, INC.	Economy	19,000		621.01	277.70	898.71
COBB ELECTRIC MEMBERSHIP CORPORATION	Economy	222,000		7,358.54	3,290.61	10,649.15
CONSTELLATION ENERGY COMDS. GRP. INC.	Economy	32,000		1,339.15	598.84	1,937.99
ENDURE ENERGY	Economy	1,131,000		38,720.42	17,162.18	55,882.60
FORTIS ENERGY MARKETING & TRADING GP	Economy	171,000		5,478.22	2,449.76	7,927.98
ILLINOIS MUNICIPAL ELECTRIC AGENCY	Economy	10,000		341.44	152.68	494.12
INDIANA MUNICIPAL POWER AGENCY	Economy	10,000		342.37	153.10	495.47
Integrys Energy Services	Economy	45,000		1,474.83	659.52	2,134.35
MERRILL LYNCH COMMODITIES INC.	Economy	21,000		784.25	350.71	1,134.96
PROGRESS ENERGIES CAROLINAS INC.	Economy	2,904,000		91,768.83	40,674.99	132,443.82
RAINBOW ENERGY MARKETING CORP	Economy	27,000		811.13	362.72	1,173.85
SOUTHERN COMPANY SERVICES, INC	Economy	3,168,000		101,642.26	45,051.24	146,693.50
THE ENERGY AUTHORITY	Economy	986,000		35,031.07	15,526.93	50,558.00
TENASKA POWER SERVICES CO.	Economy	22,000		686.04	306.78	992.82
TENNESSEE VALLEY AUTHORITY	Economy	4,502,000		153,320.45	67,956.75	221,277.20
WESTAR ENERGY, INC.	Economy	99,000		3,636.73	1,626.30	5,263.03
OWENSBORO MUNICIPAL UTILITIES	Economy	2,952,000	-	59,705.17	14,448.81	74,153.98
OWENSBORO MUNICIPAL UTILITIES	Allowances	-	-	-	342.00	342.00
LOUISVILLE GAS & ELECTRIC	Economy	487,462,000		12,998,758.61	682,980.69	13,681,739.30
<b>SUBTOTAL</b>		550,419,000	-	\$ 15,142,364.32	\$ 1,621,562.81	\$ 16,763,927.13
LOSSES ACROSS OTHER SYSTEMS (NOT BILLED)		105,000				
<b>TOTAL</b>		550,524,000	\$ -	\$ 15,142,364.32	\$ 1,621,562.81	\$ 16,763,927.13

Kentucky Utilities Company

POWER TRANSACTION SCHEDULE

Month Ended: December 31, 2008

Company	Type of Transaction	KWH	Billing Components			Total Charges(\$)
			Demand(\$)	Fuel Charges(\$)	Other Charges(\$)	
<b>Sales</b>						
MIDWEST INDEPENDENT TRANSMISSION SYSTEM OPERATOR, MISO	Economy	3,200,000		113,497.87	42,127.00	155,624.87
MIDWEST CONTINGENCY RESERVE SHARING GROUP, MCRS	Economy	15,000		1,173.41	467.35	\$1,640.76
PJM INTERCONNECTION ASSOCIATION, PJM	Economy	8,393,000		\$298,955.71	111,546.24	\$410,501.95
ASSOCIATED ELECT COOPERATIVE, AECI	Economy	226,000		8,199.22	3,059.28	11,258.50
AMERICAN ELECTRIC POWER SERVICE CORP., AEP	Economy	12,000		527.12	209.94	737.06
AMEREN ENERGY MARKETING COMPANY, AMEM	Economy	58,000		2,059.55	768.46	2,828.01
CARGILL- ALLIANT, LLC, CARG	Economy	50,000		1,884.93	750.73	2,635.66
COBB ELECTRIC MEMBERSHIP CORPORATION, COBB	Economy	14,000		563.85	224.57	788.42
CONSTELLATION ENERGY COMDS. GRP. INC., CONS	Economy	4,000		146.47	58.33	204.80
DTE ENERGY TRADING, INC., DTE	Economy	8,000		347.61	138.45	486.06
ENDURE ENERGY, ENDU	Economy	82,000		2,836.18	1,058.24	3,894.42
FORTIS ENERGY MARKETING & TRADING GP, FORT	Economy	8,000		347.61	138.45	486.06
ILLINOIS MUNICIPAL ELECTRIC AGENCY, IMEA	Economy	185,000		8,085.24	3,016.76	11,102.00
INDIANA MUNICIPAL POWER AGENCY, IMPA	Economy	124,000		5,605.09	2,091.37	7,696.46
THE ENERGY AUTHORITY, TEA	Economy	152,000		4,451.14	1,660.83	6,111.97
TENNESSEE VALLEY AUTHORITY, TVA	Economy	647,000		25,440.61	9,492.41	34,933.02
AMEREN ENERGY, INC., AMRN	Economy	14,000		668.07	266.06	934.13
WESTAR ENERGY, INC., WSTR	Economy	8,000		253.64	101.00	354.64
<b>OWENSBORO MUNICIPAL UTILITIES</b>						
LOUISVILLE GAS & ELECTRIC, LGE	Economy	631,000	-	18,500.66	2,795.68	21,296.34
<b>SUBTOTAL</b>		308,520,000		9,284,959.16	447,090.89	9,732,050.05
<b>LOSSES ACROSS OTHER SYSTEMS (NOT BILLED)</b>		322,351,000		9,778,503.14	628,322.04	10,406,825.18
<b>TOTAL</b>		630,871,000		19,063,462.30	1,075,412.93	20,139,877.23

Kentucky Utilities Company

POWER TRANSACTION SCHEDULE

Month Ended: January 31, 2009

Company	Type of Transaction	KWH	Billing Components			Total Charges(\$)
			Demand(\$)	Fuel Charges(\$)	Other Charges(\$)	
<b>Sales</b>						
MIDWEST INDEPENDENT TRANSMISSION SYSTEM OPERATOR.	MISO	6,000	-	178.74	73.50	252.24
PJM INTERCONNECTION ASSOCIATION	PJM	40,000	-	\$1,341.90	551.83	\$1,893.73
CARGILL- ALLIANT, LLC	CARG	1,000	-	35.82	14.73	50.55
THE ENERGY AUTHORITY	TEA	1,000	-	37.92	15.59	53.51
TENNESSEE VALLEY AUTHORITY	TVA	1,000	-	29.10	11.97	41.07
OWENSBORO MUNICIPAL UTILITIES	OMU	202,000	-	6,137.89	910.05	7,047.94
OWENSBORO MUNICIPAL UTILITIES	OMU	-	-	-	148.00	148.00
LOUISVILLE GAS & ELECTRIC	LGE	132,282,000	-	3,861,301.46	920,778.08	4,782,079.54
<b>SUBTOTAL</b>		<b>132,533,000</b>	<b>-</b>	<b>3,869,062.83</b>	<b>922,503.75</b>	<b>4,791,566.58</b>
<b>LOSSES ACROSS OTHER SYSTEMS (NOT BILLED)</b>		<b>-</b>	<b>-</b>	<b>3,869,062.83</b>	<b>922,503.75</b>	<b>4,791,566.58</b>
<b>TOTAL</b>		<b>132,533,000</b>	<b>-</b>	<b>3,869,062.83</b>	<b>922,503.75</b>	<b>4,791,566.58</b>

Kentucky Utilities Company

POWER TRANSACTION SCHEDULE

Month Ended: February 28, 2009

Company	Type of Transaction	KWH	Billing Components			Total Charges(\$)
			Demand(\$)	Fuel Charges(\$)	Other Charges(\$)	
<u>Sales</u>						
MIDWEST INDEPENDENT TRANSMISSION SYSTEM OPERATOR,	Economy	30,000		869.70	247.28	1,116.98
MIDWEST CONTINGENCY RESERVE SHARING GROUP	Economy	6,000		490.85	139.56	\$630.41
PJM INTERCONNECTION ASSOCIATION	Economy	231,000		\$6,807.24	1,932.97	\$8,740.21
AMERICAN ELECTRIC POWER SERVICE CORP.	Economy	1,000		34.87	9.91	44.78
CARGILL- ALLIANT, LLC	Economy	27,000		883.08	251.08	1,134.16
COBB ELECTRIC MEMBERSHIP CORPORATION	Economy	5,000		146.78	41.74	188.52
DTE ENERGY TRADING, INC.	Economy	2,000		68.13	19.37	87.50
ENDURE ENERGY	Economy	3,000		96.56	27.45	124.01
ILLINOIS MUNICIPAL ELECTRIC AGENCY	Economy	23,000		849.96	241.67	1,091.63
INDIANA MUNICIPAL POWER AGENCY	Economy	16,000		600.32	170.69	771.01
SOUTHERN COMPANY SERVICES, INC	Economy	2,000		80.35	22.85	103.20
THE ENERGY AUTHORITY	Economy	8,000		249.63	70.98	320.61
TENNESSEE VALLEY AUTHORITY	Economy	9,000		283.93	80.73	364.66
AMEREN ENERGY, INC.	Economy	1,000		31.04	8.82	39.86
WESTAR ENERGY, INC.	Economy	1,000		33.85	9.64	43.49
OWENSBORO MUNICIPAL UTILITIES	Allowances	-		-	921.00	921.00
LOUISVILLE GAS & ELECTRIC	Economy	62,402,000		1,991,730.95	309,651.22	2,301,382.17
SUBTOTAL		62,767,000	-	2,003,257.24	313,846.96	2,317,104.20
<u>LOSSES ACROSS OTHER SYSTEMS (NOT BILLED)</u>						
TOTAL		62,767,000	-	2,003,257.24	313,846.96	2,317,104.20

Kentucky Utilities Company

POWER TRANSACTION SCHEDULE

Month Ended: March 31, 2009

Company	Type of Transaction	KWH	Billing Components			Total Charges(\$)
			Demand(\$)	Fuel Charges(\$)	Other Charges(\$)	
<b>Sales</b>						
MIDWEST INDEPENDENT TRANSMISSION SYSTEM OPERATOR,	Economy	350,000		10,455.62	3,575.70	14,031.32
MIDWEST CONTINGENCY RESERVE SHARING GROUP	Economy	11,000		909.20	236.58	1,145.78
PJM INTERCONNECTION ASSOCIATION	Economy	1,570,000		51,193.76	17,507.67	68,701.43
AMERICAN ELECTRIC POWER SERVICE CORP.	Economy	10,000		342.40	125.85	468.25
AMEREN ENERGY MARKETING COMPANY	Economy	2,000		67.44	24.79	92.23
CARGILL- ALLIANT, LLC	Economy	257,000		8,106.16	2,772.22	10,878.38
COBB ELECTRIC MEMBERSHIP CORPORATION	Economy	63,000		2,009.38	687.19	2,696.57
DUKE ENERGY CAROLINAS, LLC	Economy	24,000		853.61	313.76	1,167.37
EAST KENTUCKY POWER COOPERATIVE	Economy	7,000		235.03	86.39	321.42
ENDURE ENERGY	Economy	3,000		94.23	34.63	128.86
FORTIS ENERGY MARKETING & TRADING GP	Economy	1,000		35.52	13.06	48.58
ILLINOIS MUNICIPAL ELECTRIC AGENCY	Economy	152,000		7,068.66	2,417.41	9,486.07
INDIANA MUNICIPAL POWER AGENCY	Economy	47,000		1,908.16	701.39	2,609.55
THE ENERGY AUTHORITY	Economy	123,000		3,722.06	1,272.90	4,994.96
TENNESSEE VALLEY AUTHORITY	Economy	489,000		15,598.63	5,334.54	20,933.17
WESTAR ENERGY, INC.	Economy	26,000		817.56	300.50	1,118.06
LOUISVILLE GAS & ELECTRIC	Economy	67,918,000		1,985,984.29	241,168.85	2,227,153.14
<b>SUBTOTAL</b>		<b>71,053,000</b>	<b>-</b>	<b>2,089,401.71</b>	<b>276,573.43</b>	<b>2,365,975.14</b>
<b>TOTAL</b>		<b>71,053,000</b>	<b>-</b>	<b>2,089,401.71</b>	<b>276,573.43</b>	<b>2,365,975.14</b>

Kentucky Utilities Company

POWER TRANSACTION SCHEDULE

Month Ended: April 30, 2009

Company	Type of Transaction	KWH	Demand(\$)	Billing Components			Total Charges(\$)
				Fuel Charges(\$)	Other Charges(\$)		
<u>Sales</u>							
PJM INTERCONNECTION ASSOCIATION	PJM	-	-	0.00	113.30		113.30
OWENSBORO MUNICIPAL UTILITIES	OMU	4,896,000	-	148,533.75	18,606.02		167,139.77
OWENSBORO MUNICIPAL UTILITIES	OMU	-	-	0.00	1,240.00		1,240.00
LOUISVILLE GAS & ELECTRIC	LGE	34,938,000	-	1,004,777.12	85,117.14		1,089,894.26
SUBTOTAL		39,834,000	-	1,153,310.87	105,076.46		1,258,387.33
<u>LOSSES ACROSS OTHER SYSTEMS (NOT BILLED)</u>							
TOTAL		39,834,000	-	1,153,310.87	105,076.46		1,258,387.33

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 7**

**Witness: D. Ralph Bowling**

Q-7. List KU's scheduled, actual, and forced outages between November 1, 2008 and April 30, 2009.

A-7. Please see the attached sheets.

On February 14, 2009, KU placed Tyrone 3 on reserve shutdown, and the unit was transferred to inactive reserve on April 16, 2009 as a result of decreasing load caused by the general economic slow down. A complete analysis performed in January 2009 determined that the operating and maintenance savings resulting from a reserve shutdown of Tyrone 3 more than offset costs incurred to place a unit on reserve shutdown. KU will continue to monitor its load and the economic dispatch of its units to determine the optimal time to return Tyrone 3 to operational status.

Kentucky Utilities Company  
 E. W. Brown Unit 1 - Coal - 101 MW  
 November 2008 through April 2009

Schedule vs. Actual

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE	
	Scheduled		Actual		Scheduled	Actual		
	FROM	TO	FROM	TO	Forced	Actual		
Nov	No Outages > or = 6 Hours							
Dec	S	12/13/2008 11:52	12/14/2008 13:00	12/13/2008 11:52	12/14/2008 13:00	25:08	25:08	Electrostatic precipitator.
	S	12/23/2008 20:33	12/24/2008 15:45	12/23/2008 20:33	12/24/2008 15:45	19:12	19:12	Electrostatic precipitator.
Jan	No Outages > or = 6 Hours							
Feb	F			2/6/2009 8:53	2/17/2009 20:41	275:48		Exciter commutator and brushes.
Mar	F			3/5/2009 17:02	3/6/2009 16:09	23:07		First superheater leaks.
	F			3/23/2009 5:40	3/23/2009 13:30	7:50		Economizer leaks.
Apr	S	3/27/2009 6:30	3/27/2009 17:40	3/27/2009 6:30	3/27/2009 17:40	11:10	11:10	Burner orifices.
	No Outages > or = 6 Hours							



Kentucky Utilities Company  
 E. W. Brown Unit 2 - Coal - 167 MW  
 November 2008 through April 2009

Schedule vs. Actual

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual	
Nov	No Outages > or = 6 Hours						
Dec	F		12/5/2008 15:45	12/7/2008 15:39	47:54		Boiler tube waterwall leak.
	F		12/29/2008 21:04	12/30/2008 4:39	7:35		Induced draft fan motors and drives.
Jan	No Outages > or = 6 Hours						
Feb	S	2/14/2009 0:00	→	2/13/2009 22:38	→	360:00	361:22 Major turbine overhaul.
Mar	S	→	→	→	→	744:00	744:00 Major turbine overhaul.
Apr	S	→	→	4/19/2009 15:00	→	447:00	410:45 Major turbine overhaul.
	S	4/18/2009 2:45	→	4/18/2009 2:45	→	23:46	23:46 Feedwater pump coupling and drive shaft.
	S	4/19/2009 2:31	→	4/19/2009 2:31	→	6:17	6:17 Exciter.
	F		4/27/2009 14:57	4/28/2009 1:57	11:00		Feedwater pump drive motor.
	F		4/28/2009 9:43	4/29/2009 21:07	35:24		Feedwater pump drive motor.

Kentucky Utilities Company  
 E. W. Brown Unit 3 - Coal - 429 MW  
 November 2008 through April 2009

Schedule vs. Actual

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual	
Nov	No Outages > or = 6 Hours						
Dec	12/29/2008 20:39	12/31/2008 21:40	12/29/2008 20:39	12/31/2008 21:40	49:01	49:01	Circuit breakers.
Jan	No Outages > or = 6 Hours						
Feb			2/18/2009 0:53	2/19/2009 5:07	28:14		Condenser tube leaks.
			2/24/2009 23:47	2/26/2009 19:17	43:30		Condenser tube leaks.
Mar	No Outages > or = 6 Hours						
Apr			4/4/2009 0:00	4/4/2009 0:01	648:00	647:59	Boiler inspection.

Schedule vs. Actual

Kentucky Utilities Company  
 Ghent Unit 1 - Coal - 475 MW  
 November 2008 through April 2009

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE	
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual		
Nov	No Outages > or = 6 Hours							
Dec	S	12/25/2008 0:13	12/27/2008 16:15	12/26/2008 0:13	12/27/2008 16:15	40:02	40:02	High pressure heater tube leaks.
Jan	F	1/24/2009 0:00	1/27/2009 0:01	1/11/2009 20:32	1/27/2009 0:01	363:29	363:29	Turbine intercept valves.
Feb	S	1/24/2009 0:00	1/27/2009 0:01	1/27/2009 0:01	1/27/2009 0:01	119:59	119:59	Boiler inspection.
Feb	S	1/24/2009 0:00	1/27/2009 0:01	1/27/2009 0:01	1/27/2009 0:01	593:17	593:17	Boiler inspection.
Feb	F	2/26/2009 8:47	2/27/2009 9:49	2/26/2009 8:47	2/27/2009 9:49	25:02	25:02	Boiler water condition.
Feb	F	2/27/2009 11:09	2/27/2009 18:24	2/27/2009 11:09	2/27/2009 18:24	7:15	7:15	Deaerator.
Mar	S	3/15/2009 15:00	3/15/2009 15:00	3/10/2009 10:32	3/12/2009 0:08	351:00	0:00	Boiler inspection scheduled, actual incurred January 24.
Apr	F	No Outages > or = 6 Hours		3/10/2009 10:32	3/12/2009 0:08	37:36	37:36	Turbine piping.

Schedule vs. Actual

Kentucky Utilities Company  
 Ghent Unit 2 - Coal - 484 MW  
 November 2008 through April 2009

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE	
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual		
Nov	No Outages > or = 6 Hours							
Dec	S	12/24/2008 1:23	12/26/2008 6:55	12/24/2008 1:23	12/26/2008 6:55	53:32	53:32	Electrostatic precipitator.
Jan	F		1/24/2009 0:39	1/24/2009 16:50	1/26/2009 0:39	31:49	31:49	Opacity stack emissions.
Feb	F		2/4/2009 3:48	2/4/2009 1:55	2/5/2009 3:48	25:53	25:53	Condenser tube leaks.
	F		2/14/2009 23:28	2/14/2009 11:50	2/15/2009 23:28	35:38	35:38	First superheater leaks.
	F		2/24/2009 12:48	2/23/2009 14:00	2/24/2009 12:48	22:48	22:48	First reheater leaks.
Mar	S	3/7/2009 0:00		3/6/2009 22:58		600:00	601:02	Boiler inspection, controls project, FGD installation.
Apr	S					720:00	720:00	Boiler inspection, controls project, FGD installation.

Schedule vs. Actual

Kentucky Utilities Company  
 Ghent Unit 3 - Coal - 480 MW  
 November 2008 through April 2009

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual	
Nov	F		11/11/2008 1:40	11/12/2008 22:31		44:51	First superheater leaks.
	S	11/26/2008 23:17	11/27/2008 21:14	11/26/2008 23:17	11/27/2008 21:14	21:57	First superheater slagging.
Dec	S	12/19/2008 22:50	12/20/2008 22:55	12/19/2008 22:50	12/20/2008 22:55	24:05	Economizer leaks.
Jan	F		1/5/2009 12:21	1/7/2009 22:02		57:41	First superheater leaks.
Feb		No Outages > or = 6 Hours					
Mar	S	3/17/2009 8:58	3/20/2009 6:54	3/17/2009 8:58	3/20/2009 6:54	69:56	Circulating water piping.
Apr	S	3/20/2009 23:34	3/21/2009 16:03	3/20/2009 23:34	3/21/2009 16:03	16:29	Condenser tube and waterbox cleaning.
		No Outages > or = 6 Hours					

Schedule vs. Actual

Kentucky Utilities Company  
 Ghent Unit 4 - Coal - 479 MW  
 November 2008 through April 2009

MONTH	MAINTENANCE				HOURS OF DURATION			REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Forced	Actual	
Nov	F		11/15/2008 23:56	11/17/2008 0:45		24:49		First reheater leaks.
Dec		No Outages > or = 6 Hours						
Jan	S	1/1/2009 0:00	1/1/2009 0:00	1/2/2009 0:56	24:56	24:56	24:56	Economizer leaks.
Feb	F		2/13/2009 23:17	2/15/2009 3:09		27:52		First reheater leaks.
Mar	S	3/13/2009 21:10	3/13/2009 21:10	3/14/2009 20:50	23:40	23:40	23:40	Boiler tube waterwall leak.
Apr	S	4/23/2009 22:22	4/23/2009 22:22	4/26/2009 3:22	53:00	53:00	53:00	Flue gas expansion joints.

Kentucky Utilities Company  
 Green River Unit 3 - Coal - 68 MW  
 November 2008 through April 2009

Schedule vs. Actual

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual	
Nov	No Outages > or = 6 Hours						
Dec	No Outages > or = 6 Hours						
Jan	F	1/17/2009 0:04	1/30/2009 15:15			327:11	Turbine main stop valves.
	F	1/30/2009 15:15	→			32:45	Lost transmission lines to and from plant due to ice storm.
Feb	F	→	2/3/2009 8:07			56:07	Lost transmission lines to and from plant due to ice storm.
	F	2/20/2009 2:31	2/21/2009 4:10			25:39	Second superheater leaks.
Mar	F	3/2/2009 23:04	3/3/2009 23:52			24:48	Second superheater leaks.
Apr	S	4/12/2009 22:28	4/22/2009 20:15	4/12/2009 22:28	4/22/2009 20:15	237:47	Induced draft fan motors and drives.

Kentucky Utilities Company  
 Green River Unit 4 - Coal - 95 MW  
 November 2008 through April 2009

Schedule vs. Actual

MONTH	SCHEDULED		ACTUAL		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	FROM	TO	FROM	TO	
Nov			11/23/2008 10:11	11/24/2008 10:01	Second superheater leaks.
Dec			12/6/2008 17:47	12/7/2008 18:25	Second superheater leaks.
			12/16/2008 18:48	12/17/2008 17:56	Second superheater leaks.
Jan	1/12/2009 5:45	1/12/2009 13:49	1/12/2009 5:45	1/12/2009 13:49	Turbine drain and vent valves.
			1/17/2009 11:18	1/18/2009 15:40	Second superheater leaks.
			1/28/2009 7:54	→	Lost transmission lines to and from plant due to ice storm.
Feb			→	2/2/2009 4:14	Lost transmission lines to and from plant due to ice storm.
			2/13/2009 17:38	2/14/2009 22:00	Second superheater leaks.
Mar			3/14/2009 13:05	3/14/2009 23:50	Second superheater leaks.
			3/18/2009 23:30	3/19/2009 10:06	Second superheater leaks.
Apr			4/7/2009 14:05	4/8/2009 18:53	Air heater.
			4/9/2009 13:42	4/9/2009 20:14	Voltage protection devices.
	4/25/2009 0:00	→	4/24/2009 21:00	→	Major boiler overhaul.
				144:00	
				147:00	



Schedule vs. Actual

Kentucky Utilities Company  
 Tyrone Unit 3 - Coal - 71 MW  
 November 2008 through April 2009

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual	
Nov	No Outages > or = 6 Hours						
Dec	F	12/19/2008 11:49	12/21/2008 9:07	12/14/2008 6:15	12/14/2008 12:20	6:05	Forced draft fans.
	S	12/19/2008 11:49	12/21/2008 9:07	12/19/2008 11:49	12/21/2008 14:42	50:53	Desuperheater valves.
	F			12/22/2008 22:07	12/24/2008 12:30	38:23	Feedwater chemistry.
Jan	F	1/29/2009 4:40	1/29/2009 23:25	1/29/2009 4:40	1/29/2009 23:25	18:45	Induced draft fan coupling.
	S	1/30/2009 14:46		1/30/2009 14:46		33:14	Traveling screens.
Feb	S		2/1/2009 14:45		2/1/2009 14:45	14:45	Traveling screens.
	F			2/3/2009 9:20	2/13/2009 0:57	231:37	Traveling screens.
Mar	No Outages > or = 6 Hours						
Apr	No Outages > or = 6 Hours						

\*TY3 was placed on Reserve Shutdown on 2/14/2009, and transferred to Inactive Reserve status on 4/16/2009.

Schedule vs. Actual

Kentucky Utilities Company  
 E. W. Brown 5 - Gas CT - 117 MW  
 November 2008 through April 2009

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual	
Nov	No Outages > or = 6 Hours						
Dec	S	12/19/2008 7:11	12/19/2008 15:46	12/19/2008 7:11	12/19/2008 15:46	8:35	SERC CT & PT testing.
	S	12/31/2008 6:30	12/31/2008 15:13	12/31/2008 6:30	12/31/2008 15:13	8:43	SERC CT & PT testing.
Jan	S	1/2/2009 7:00	1/2/2009 14:30	1/2/2009 7:00	1/2/2009 14:30	7:30	Gas turbine lube oil system.
	S	1/5/2009 6:30	1/5/2009 13:05	1/5/2009 6:30	1/5/2009 13:05	6:35	Gas turbine lube oil system.
	F			1/17/2009 18:12	1/18/2009 8:25	14:13	Gas turbine combustor.
Feb	S	2/3/2009 7:15	2/3/2009 14:39	2/3/2009 7:15	2/3/2009 14:39	7:24	Generator voltage control.
Mar	No Outages > or = 6 Hours						
Apr	No Outages > or = 6 Hours						

Schedule vs. Actual

Kentucky Utilities Company  
 E. W. Brown 6 - Gas CT - 154 MW  
 November 2008 through April 2009

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE	
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual		
Nov	S	11/3/2008 6:30	11/6/2008 6:00	11/3/2008 6:30	11/6/2008 6:00	71:30	71:30	SERC testing, DC relay calibration.
	S	11/6/2008 6:00	11/6/2008 16:00	11/6/2008 6:00	11/6/2008 16:00	10:00	10:00	Generator metering devices.
Dec	S	12/16/2008 6:30	12/19/2008 15:46	12/16/2008 6:30	12/19/2008 15:46	81:16	81:16	Gas turbine fuel piping and valves.
Jan	S	1/6/2009 7:30	1/6/2009 14:00	1/6/2009 7:30	1/6/2009 14:00	6:30	6:30	Generator current and potential transformers.
	S	1/19/2009 7:00	1/19/2009 19:30	1/19/2009 7:00	1/19/2009 19:30	12:30	12:30	Generator controls.
Feb	F			2/6/2009 7:40	2/6/2009 17:45	10:05		Gas turbine ignition system.
	S	2/9/2009 7:00	2/9/2009 14:43	2/9/2009 7:00	2/9/2009 14:43	7:43	7:43	Generator voltage control.
	S	2/10/2009 7:00	2/10/2009 14:30	2/10/2009 7:00	2/10/2009 14:30	7:30	7:30	Generator voltage control.
Mar	S	3/5/2009 7:30	3/5/2009 13:34	3/5/2009 7:30	3/5/2009 13:34	6:04	6:04	Gas turbine ignition system.
Apr	S	4/25/2009 0:00		4/26/2009 6:00		144:00	114:00	Gas turbine boroscope inspection.

Schedule vs. Actual

Kentucky Utilities Company  
 E. W. Brown 7 - Gas CT - 154 MW  
 November 2008 through April 2009

MONTH	MAINTENANCE						REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE	
	Scheduled		Actual		HOURS OF DURATION		Actual	
	FROM	TO	FROM	TO	Scheduled	Forced		
Nov	S	→	11/30/2008 15:00	→	11/22/2008 18:29	7:11:00	522:29	Major gas turbine overhaul.
	S	11/23/2008 9:58	11/23/2008 16:09	11/23/2008 9:58	11/23/2008 16:09	6:11	6:11	Major gas turbine overhaul follow-up testing.
	S	11/23/2008 19:30	11/26/2008 15:27	11/23/2008 19:30	11/26/2008 15:27	67:57	67:57	Major gas turbine overhaul follow-up testing.
	S	11/28/2008 4:22	11/29/2008 13:06	11/28/2008 4:22	11/29/2008 13:06	32:44	32:44	Major gas turbine overhaul follow-up testing.
	S	11/30/2008 5:08	11/30/2008 15:20	11/30/2008 5:08	11/30/2008 15:20	10:12	10:12	Major gas turbine overhaul follow-up testing.
Dec	S	12/2/2008 5:27	12/2/2008 17:45	12/2/2008 5:27	12/2/2008 17:45	12:18	12:18	Major gas turbine overhaul follow-up testing.
Jan	No Outages > or = 6 Hours							
Feb	S	2/12/2009 7:00	2/12/2009 14:45	2/12/2009 7:00	2/12/2009 14:45	7:45	7:45	Generator voltage control.
Mar	No Outages > or = 6 Hours							
Apr	S	4/2/2009 6:00	4/3/2009 18:00	4/2/2009 6:00	4/3/2009 18:00	36:00	36:00	Gas turbine turning gear and motor.
	F			4/6/2009 6:00	4/6/2009 20:00		14:00	Gas turbine turning gear and motor.

Kentucky Utilities Company  
 E. W. Brown 8 - Gas CT - 106 MW  
 November 2008 through April 2009

Schedule vs. Actual

MONTH	SCHEDULED		ACTUAL		HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	FROM	TO	FROM	TO	Scheduled	Actual	
Nov	11/1/2008 7:40	11/12/2008 14:42	11/11/2008 7:40	11/12/2008 14:42	31:02	31:02	Gas turbine exhaust.
Dec			12/16/2008 7:40	12/16/2008 15:35	7:55	7:55	Gas turbine fuel piping and valves.
Jan	No Outages > or = 6 Hours						
Feb	No Outages > or = 6 Hours						
Mar	No Outages > or = 6 Hours						
Apr	No Outages > or = 6 Hours						

Kentucky Utilities Company  
 E. W. Brown 9 - Gas CT - 106 MW  
 November 2008 through April 2009

Schedule vs. Actual

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	Scheduled		Actual		Scheduled	Actual	
	FROM	TO	FROM	TO	Forced	Actual	
Nov	No Outages > or = 6 Hours						
Dec	No Outages > or = 6 Hours						
Jan	No Outages > or = 6 Hours						
Feb	No Outages > or = 6 Hours						
Mar	F		3/3/2009 3:07	3/3/2009 11:20		8:13	Gas turbine control system.
Apr	S	4/24/2009 6:05	4/24/2009 12:20	4/24/2009 6:05	4/24/2009 12:20	6:15	6:15 Gas turbine exhaust system vanes and nozzles.

Kentucky Utilities Company  
 E. W. Brown 10 - Gas CT - 106 MW  
 November 2008 through April 2009

Schedule vs. Actual

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual	
Nov	S	11/13/2008 7:30	11/14/2008 13:40	11/13/2008 7:30	11/14/2008 13:40	30:10	30:10 Gas turbine exhaust.
Dec		No Outages > or = 6 Hours					
Jan		No Outages > or = 6 Hours					
Feb	F			2/24/2009 13:15	2/25/2009 16:30	27:15	Gas turbine ignition system.
Mar	S	2/25/2009 16:30	2/26/2009 16:21	2/25/2009 16:30	2/26/2009 16:21	23:51	Gas turbine combustor casing.
Apr		No Outages > or = 6 Hours					

Kentucky Utilities Company  
 E. W. Brown 11 - Gas CT - 106 MW  
 November 2008 through April 2009

Schedule vs. Actual

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual	
Nov	F	No Outages > or = 6 Hours	11/21/2008 6:00	11/21/2008 15:30	9:30		Gas turbine turning gear and motor.
Dec		No Outages > or = 6 Hours					
Jan		No Outages > or = 6 Hours					
Feb		No Outages > or = 6 Hours					
Mar	F	No Outages > or = 6 Hours	3/17/2009 17:00	3/18/2009 6:22	13:22		Gas turbine turning gear and motor.
Apr		No Outages > or = 6 Hours					



Schedule vs. Actual

Kentucky Utilities Company  
 Haefling 1 - Gas CT - 12 MW  
 November 2008 through April 2009

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual	
Nov	→	→	→	→	720:00	720:00	Spill prevention control and countermeasure (SPCC) plan.
Dec	→	→	→	→	744:00	744:00	Spill prevention control and countermeasure (SPCC) plan.
Jan	→	→	→	→	744:00	744:00	Spill prevention control and countermeasure (SPCC) plan.
Feb	→	→	→	→	672:00	672:00	Spill prevention control and countermeasure (SPCC) plan.
Mar	→	3/6/2009 14:00	→	3/6/2009 14:00	134:00	134:00	Spill prevention control and countermeasure (SPCC) plan.
Apr	No Outages > or = 6 Hours						

Schedule vs. Actual

Kentucky Utilities Company  
 Haefling 2 - Gas CT - 12 MW  
 November 2008 through April 2009

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual	
Nov	→	→	→	→	720:00	720:00	Spill prevention control and countermeasure (SPCC) plan.
Dec	→	→	→	→	744:00	744:00	Spill prevention control and countermeasure (SPCC) plan.
Jan	→	→	→	→	744:00	744:00	Spill prevention control and countermeasure (SPCC) plan.
Feb	→	→	→	→	672:00	672:00	Spill prevention control and countermeasure (SPCC) plan.
Mar	→	3/6/2009 14:00	→	3/6/2009 14:00	134:00	134:00	Spill prevention control and countermeasure (SPCC) plan.
Apr	No Outages > or = 6 Hours						

Schedule vs. Actual

Kentucky Utilities Company  
 Haefling 3 - Gas CT - 12 MW  
 November 2008 through April 2009

MONTH	MAINTENANCE				HOURS OF DURATION		REASON FOR DEVIATION FROM SCHEDULED MAINTENANCE OR REASON FOR FORCED OUTAGE AS APPROPRIATE
	Scheduled FROM	Scheduled TO	Actual FROM	Actual TO	Scheduled	Actual	
Nov	S	→	→	→	720:00	720:00	Spill prevention control and countermeasure (SPCC) plan.
Dec	S	→	→	→	744:00	744:00	Spill prevention control and countermeasure (SPCC) plan.
Jan	S	→	→	→	744:00	744:00	Spill prevention control and countermeasure (SPCC) plan.
Feb	S	→	→	→	672:00	672:00	Spill prevention control and countermeasure (SPCC) plan.
Mar	S	→	3/6/2009 14:00	→	134:00	134:00	Spill prevention control and countermeasure (SPCC) plan.
Apr	No Outages > or = 6 Hours						

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 8**

**Witness: Mike Dotson**

- Q-8. List all existing fuel contracts categorized as long-term (i.e., more than one year in length). Provide the following information for each contract:
- a. Supplier's name and address;
  - b. Name and location of production facility;
  - c. Date contract was executed;
  - d. Duration of contract;
  - e. Date(s) of each contract revision, modification, or amendment;
  - f. Annual tonnage requirements;
  - g. Actual annual tonnage received since the contract's inception;
  - h. Percent of annual requirements received during the contract's term;
  - i. Base price;
  - j. Total amount of price escalations to date; and
  - k. Current price paid for coal under the contract (i + j).
- A-8. Please see the attached sheets.

- A. NAME/ADDRESS: Smoky Mountain Coal Corp. / KUF02860-LGE02013  
9725 Cogdill Road, Suite 203  
Knoxville, Tennessee 42413
- B. PRODUCTION FACILITY:
- |           |                        |
|-----------|------------------------|
| OPERATOR: | KMMC Mining            |
| MINES:    | Vision #9              |
| LOCATION: | Webster County, KY     |
| OPERATOR: | Allied Resources, Inc. |
| MINES:    | Onton Resources' Mines |
| LOCATION: | Webster County, KY     |
- C. CONTRACT EXECUTED DATE: February 27, 2002
- D. CONTRACT DURATION: January 1, 2002 – December 31, 2009
- E. CONTRACT AMENDMENTS: Amendment No. 1 effective January 1, 2004. Amending term, quantity, quality and price.  
Amendment No. 2 effective January 1, 2006. Amending term, quantity, quality and price.  
Amendment No. 3 effective September 1, 2006. Amending payment procedures.  
Amendment No. 4 effective January 1, 2007. Amending term, quantity and price.  
Amendment No. 5 effective March 1, 2007. Amending payment calculation.
- F. ANNUAL TONNAGE REQUIREMENTS:
- |      |                |
|------|----------------|
| 2002 | 400,000 tons   |
| 2003 | 450,000 tons   |
| 2004 | 600,000 tons   |
| 2005 | 700,000 tons   |
| 2006 | 1,200,000 tons |
| 2007 | 850,000 tons   |
| 2008 | 950,000 tons   |
| 2009 | 400,000 tons   |

G. ACTUAL TONNAGE: RECEIVED:	<u>KU</u>	<u>LGE</u>	
	2002	52,826 tons	332,114 tons
	2003	203,370 tons	275,536 tons
	2004	279,667 tons	314,929 tons
	2005	339,349 tons	357,881 tons
	2006	552,154 tons	600,627 tons
	2007	380,192 tons	517,857 tons
	2008	182,352 tons	167,819 tons
	2009	0 tons	0 tons
	(through 4/30/09)		

H. PERCENT OF ANNUAL REQUIREMENTS:	2002	96%
	2003	106%
	2004	99%
	2005	100%
	2006	96%
	2007	106%
	2008	37%
	2009	0%

I. BASE PRICE: (FOB Barge/ Sebree Dock)	2002	\$1.1540 per MMBtu– Quality A
	2003	\$1.1540 per MMBtu– Quality A
	2004	\$1.1940 per MMBtu– Quality A
	2004	\$1.0200 per MMBtu– Quality C
	2005	\$1.0600 per MMBtu– Quality C
	2006	\$1.2610 per MMBtu– Quality C
	2007	\$30.22 per ton – Quality C
	2008	\$31.00 per ton – Quality C
	2009	\$35.95 per ton – Quality C

J. ESCALATIONS TO DATE: None

K. CURRENT CONTRACT PRICE: \$31.00 per ton – Quality C

A. NAME/ADDRESS: Perry County Coal Corporation and Pike  
Letcher Synfuel, LLC / KUF06125  
200 Allison Blvd.  
Corbin, Kentucky 40701

B. PRODUCTION FACILITY:  
OPERATOR: Perry County Coal Corp.  
MINES: E4-1, E3-1  
LOCATION: Perry County, KY

C. CONTRACT EXECUTED DATE: December 12, 2005

D. CONTRACT DURATION: January 1, 2006 – October 31, 2009

E. CONTRACT AMENDMENTS: Amendment No. 1 effective September 1,  
2006. Amending payment procedures.  
Amendment No. 2 effective March 1, 2007.  
Amending payment calculation.  
Amendment No. 3 dated 5/1/08. Adding EW  
Brown as destination.  
Amendment No. 4 dated 3/1909. Extend  
term to 10/31/09. Add new delivery point.

F. ANNUAL TONNAGE  
REQUIREMENTS:

2006	120,000 tons
2007	360,000 tons
2008	360,000 tons

G. ACTUAL TONNAGE:  
RECEIVED:

2006	109,140 tons
2007	317,036 tons
2008	278,251 tons
2009	79,723 tons (through 4/30/09)

H. PERCENT OF ANNUAL  
REQUIREMENTS:

2006	91%
2007	88%
2008	77 %
2009	Carry-over

I. BASE PRICE: (FOB Railcar/Coal)

2006	\$2.52 per MMBtu
2007/2008	\$63.00 per ton

I. BASE PRICE: (FOB Railcar/Synfuel)	2006	\$2.4800 per MMBtu
	2007/2008	\$62.00 per ton
J. ESCALATIONS TO DATE:		\$0.00
K. CURRENT CONTRACT PRICE:		\$63.00 per ton



A. NAME/ADDRESS: Nally and Hamilton Enterprises, Inc./ KUF04014  
109 South 4<sup>th</sup> Street  
Bardstown, Kentucky 40004

B. PRODUCTION FACILITY:  
OPERATOR: Nally & Hamilton Enterprises, Inc.  
MINES: Mill Branch, Gordon, Doty Creek  
LOCATION: Letcher County, KY

C. CONTRACT EXECUTED DATE: July 1, 2004

D. CONTRACT DURATION: July 1, 2004 - December 31, 2008

E. CONTRACT AMENDMENTS: Amendment No. 1 effective September 1, 2006. Amending payment procedures. Amendment No. 2 effective March 1, 2007. Amending payment calculation. Amendment No.3 effective July 27, 2007. Adding Substitute Coal Source. Amendment No. 4 effective May 1, 2008. Adding additional tonnage

F. ANNUAL TONNAGE REQUIREMENTS:

2004	60,000 tons
2005	250,000 tons
2006	400,000 tons
2007	400,000 tons
2008	70,000 tons

G. ACTUAL TONNAGE RECEIVED:

2004	51,673 tons
2005	255,782 tons
2006	343,980 tons
2007	290,698 tons
2008	173,907 tons (2007 carryover tons)
2008	69,096 tons

H. PERCENT OF ANNUAL REQUIREMENTS:

2004	86%
2005	102%
2006	86%
2007	73%
2008	100%

I. BASE PRICE: (FOB Railcar)	2004	\$1.8400 per MMBtu
	2005	\$1.8400 per MMBtu
	2006	\$1.8800 per MMBtu
	2007	\$47.00 per ton
	2008	\$91.50 per ton
J. ESCALATIONS TO DATE:		\$0.0 per ton
K. CURRENT CONTRACT PRICE:		\$91.50 per ton

A. NAME/ADDRESS: Black Beauty Coal Company / KUF05021  
414 South Fares Ave.  
Evansville, Indiana 47702

B. PRODUCTION FACILITY:  
OPERATOR: Black Beauty Coal Company  
MINES: Air Quality Mine  
LOCATION: Knox County, IN

C. CONTRACT EXECUTED DATE: December 13, 2004

D. CONTRACT DURATION: January 1, 2005 – December 31, 2008

E. CONTRACT AMENDMENTS: Amendment No.1 effective January 1, 2007.  
Amending term, tonnage & price.  
Amendment No. 2 effective September 1,  
2006. Amending payment procedures.  
Amendment No. 3 effective March 1, 2007.  
Amending payment calculation,

F. ANNUAL TONNAGE REQUIREMENTS:

2005	200,000 tons
2006	200,000 tons
2007	300,000 tons
2008	200,000 tons

G. ACTUAL TONNAGE RECEIVED:

2005	201,148 tons
2006	205,191 tons
2007	258,624 tons
2008	229,729 tons
2009	7,809 tons

H. PERCENT OF ANNUAL REQUIREMENTS:

2005	100%
2006	103%
2007	86%
2008	115%
2009	carry-over

I. BASE PRICE: (FOB Barge)

2005	\$1.8981 per MMBtu
2006	\$1.9352 per MMBtu
2007	\$46.93 per ton
2008	\$55.50 per ton

J. ESCALATIONS TO DATE: None

K. CURRENT CONTRACT PRICE: \$55.50 per ton

A. NAME/ADDRESS: Consol Energy / KUF05039-LGE05012  
1800 Washington Road  
Pittsburgh, PA 15241

B. PRODUCTION FACILITY:  
OPERATOR: Consolidation Coal Company  
MINES: Shoemaker  
LOCATION: Marshall County, WV

C. CONTRACT EXECUTED DATE: December 21, 2004

D. CONTRACT DURATION: January 1, 2005 - June 30, 2009

E. CONTRACT AMENDMENTS: Amendment No. 1 effective September 1, 2006. Amending payment procedures.  
Amendment No. 2 effective March 1, 2007. Amending payment calculation.  
Amendment No. 3 dated January 2009, extend term to 6/30/09.

F. ANNUAL TONNAGE REQUIREMENTS

2005	1,683,000 tons (Includes Force Majeure tons of 67,000)
2006	1,750,000 tons
2007	2,000,000 tons
2008	1,511,747 tons
2009	488,253 tons

G. ACTUAL TONNAGE RECEIVED:

	<u>KU</u>	<u>LGE</u>
2005	682,774 tons	893,663 tons
2006	812,338 tons	981,344 tons
2007	797,522 tons	852,199 tons
2008	1,461,137 tons	465,046 tons
2009	282,018 tons	85,998 tons

(through 4/30/09)

H. PERCENT OF ANNUAL REQUIREMENTS:

2005	99%
2006	102%
2007	82%
2008	127%
2009	75%

I. BASE PRICE: (FOB Barge)	2005	\$1.2193 per MMBtu-Quality A
	2006	\$1.2439 per MMBtu-Quality A
	2007	\$32.218 per ton-Quality A
	2008	\$32.470 per ton-Quality A
	2009	\$32.470 per ton-Quality A
J. ESCALATIONS TO DATE:		None
K. CURRENT CONTRACT PRICE:		\$32.470 per ton

A. NAME/ADDRESS: Infinity Coal Sales, LLC / KUF06105  
3315 Springbank Lane, Suite 106,  
Charlotte, North Carolina 28226

B. PRODUCTION FACILITY:  
OPERATOR: Panther Coal Company, LLC  
MINES: Panther Mine  
LOCATION: Kanawha County, WV

C. CONTRACT EXECUTED DATE: August 5, 2005

D. CONTRACT DURATION: January 1, 2006 – March 31, 2009

E. CONTRACT AMENDMENTS: Amendment No. 1 effective September 1,  
2006. Amending payment procedures.  
Amendment No. 2 effective March 1, 2007.  
Amending payment calculation.

F. ANNUAL TONNAGE  
REQUIREMENTS:

2006	400,000 tons
2007	400,000 tons
2008	400,000 tons

G. ACTUAL TONNAGE:  
RECEIVED:

2006	234,647 tons
2007	440,931 tons
2008	467,165 tons
2009	56,586 tons

H. PERCENT OF ANNUAL  
REQUIREMENTS:

2006	59%
2007	110%
2008	117%
2009	carry-over

I. BASE PRICE: (FOB Barge)

2006	\$2.3361 per MMBtu
2007	\$57.00 per ton
2008	\$57.00 per ton

J. ESCALATIONS TO DATE: None

K. CURRENT CONTRACT PRICE: \$57.00 per ton

- A. NAME/ADDRESS: Perry County Coal Corp. / KUF06108  
200 Allison Blvd.  
Corbin, Kentucky 40701
- B. PRODUCTION FACILITY:  
OPERATOR: Perry County Coal Corp.  
MINES: E-4 & E-3 mines  
LOCATION: Perry County, KY
- C. CONTRACT EXECUTED DATE: July 1, 2005
- D. CONTRACT DURATION: January 1, 2006 – December 31, 2011
- E. CONTRACT AMENDMENTS: Amendment No. 1 effective September 1, 2006. Amending payment procedures.  
Amendment No. 2 effective March 1, 2007. Amending payment calculation.  
Amendment No.3 effective February 7, 2008. Extending term, tonnage.  
Amendment No. 4 effective March 1, 2009. Adding new delivery source and quality.
- F. ANNUAL TONNAGE REQUIREMENTS:
- |      |              |
|------|--------------|
| 2006 | 120,000 tons |
| 2007 | 120,000 tons |
| 2008 | 120,000 tons |
| 2009 | 120,000 tons |
| 2010 | 120,000 tons |
| 2011 | 120,000 tons |
- G. ACTUAL TONNAGE RECEIVED:
- |      |                               |
|------|-------------------------------|
| 2006 | 120,077 tons                  |
| 2007 | 152,825 tons                  |
| 2008 | 138,477 tons                  |
| 2009 | 12,996 tons (through 4/30/09) |
- H. PERCENT OF ANNUAL REQUIREMENTS:
- |      |      |
|------|------|
| 2006 | 100% |
| 2007 | 127% |
| 2008 | 115% |
| 2009 | 11%  |



I. BASE PRICE: (FOB Plant)	2006	\$2.6714 per MMBtu
	2007	\$66.25 per ton delivered price
	2008	\$66.25 per ton delivered price
	2009	\$77.50 per ton delivered price
	2009	\$65.25 per ton fob railcar
	2010	\$77.50 per ton delivered price
	2011	\$77.50 per ton delivered price
J. ESCALATIONS TO DATE:		none
K. CURRENT CONTRACT PRICE:		\$65.25 per ton fob railcar

A. NAME/ADDRESS: Little Elk Mining Co., LLC / KUF05110  
1051 Main Street, Suite 100  
Milton, W.Va. 25541

B. PRODUCTION FACILITY:  
OPERATOR: Little Elk Mining Co., LLC  
MINES: Little Elk Mine  
LOCATION: Breathitt, Knott, Perry County, KY

C. CONTRACT EXECUTED DATE: November 1, 2005

D. CONTRACT DURATION: January 1, 2006 – December 31, 2008

E. CONTRACT AMENDMENTS: Amendment No. 1 effective September 1, 2006. Amending payment procedures.  
Amendment No. 2 effective March 1, 2007. Amending payment calculation.  
Amendment No. 3 effective May 1, 2008. Assignment to Trinity Coal Marketing, LLC. Change to monthly diesel fuel escalation.  
Amendment No. 4 effective July 1, 2008. Adjustment of Base Price to \$67.25 per ton.

F. ANNUAL TONNAGE REQUIREMENTS:

2006	30,000 tons
2007	30,000 tons
2008	30,000 tons

G. ACTUAL TONNAGE RECEIVED:

2006	30,198 tons
2007	40,167 tons
2008	27,511 tons
2009	636 tons

H. PERCENT OF ANNUAL REQUIREMENTS:

2006	100%
2007	134%
2008	92%
2009	carry-over tons

I. BASE PRICE: (FOB Plant)	2006	\$2.6667 per MMBtu
	2007	\$64.00 per ton
	2008	\$64.00 per ton (through 6/30/08)
	2008	\$67.25 per ton
J. ESCALATIONS TO DATE:		\$0.00 per ton
K. CURRENT CONTRACT PRICE:		\$67.25 per ton

A. NAME/ADDRESS: Trinity Coal Marketing (Little Elk Mining Co., LLC) / KUF05109  
1051 Main Street, Suite 100  
Milton, W.Va. 25541

B. PRODUCTION FACILITY:  
OPERATOR: Little Elk Mining Co., LLC  
MINES: Little Elk Mine  
LOCATION: Breathitt, Knott, Perry County, KY

C. CONTRACT EXECUTED DATE: August 1, 2005

D. CONTRACT DURATION: January 1, 2006 – December 31, 2011

E. CONTRACT AMENDMENTS: Amendment No. 1 effective September 1, 2006. Amending payment procedures.  
Amendment No. 2 effective March 1, 2007. Amending payment calculation.  
Amendment No.3 effective January 1, 2008. Amending tonnage and price for year 2008.  
Amendment No. 4 effective May 1, 2008. Assignment of contract to Trinity Coal Marketing, LLC. Extension of term to December 31, 2011. Additional tonnage of 1,000,000 per year 2009-2011.  
Amendment No. 5 effective July 1, 2008. Change quarterly fuel adjustment to monthly adjustment on truck delivered tonnage.

F. ANNUAL TONNAGE REQUIREMENTS:

2006	270,000 tons
2007	500,000 tons
2008	800,000 tons
2009	1,130,000 tons
2010	1,000,000 tons
2011	1,000,000 tons

G. ACTUAL TONNAGE RECEIVED:

2006	259,230 tons
2007	445,965 tons
2008	792,595 tons
2009	310,667 tons (through 4/30/09)

H. PERCENT OF ANNUAL  
REQUIREMENTS:

2006	96%
2007	89%
2008	99%
2009	27%

I. BASE PRICE: (FOB Railcar)

2006	\$1.9729 per MMBtu
2007	\$47.35 per ton
2008	\$44.59375 per ton
2009	\$63.85442 per ton
2010	\$63.00 per ton
2011	\$61.00 per ton

J. ESCALATIONS TO DATE:

None

K. CURRENT CONTRACT PRICE:

\$62.94209 per ton (blended price 2008/2009  
tons)

A. NAME/ADDRESS: ICG, LLC/KUF04056  
2000 Ashland Drive  
Ashland, Kentucky 41101

B. PRODUCTION FACILITY:  
OPERATOR: ICG - Hazard  
MINES: Various ICG-Hazard mines  
LOCATION: Breathitt, Knott, Perry County, KY

C. CONTRACT EXECUTED DATE: November 11, 2004

D. CONTRACT DURATION: November 13, 2004 – December 31, 2010

E. CONTRACT AMENDMENTS: Amendment No. 1 effective January 1, 2006. Amending term, tons, quality & price.  
Amendment No. 2 effective Nov. 1, 2005. Amending price.  
Amendment No. 3 effective September 1, 2006. Amending payment procedures.  
Amendment No. 4 effective March 1, 2007. Amending payment calculation.  
Amendment No. 5 effective January 1, 2008. Amending term, tonnage and price.  
Amendment No. 6 effective January 1, 2009. Amending term, tonnage and price.

F. ANNUAL TONNAGE REQUIREMENTS:

2004	13,500 tons
2005	216,000 tons
2006	260,000 tons
2007	350,000 tons
2008	400,000 tons
2009	200,000 tons

G. ACTUAL TONNAGE RECEIVED:

2004	14,701 tons
2005	172,541 tons
2006	298,967 tons
2007	350,485 tons
2008	350,662 tons
2009	136,022 (through 4/30/09)

H. PERCENT OF ANNUAL  
REQUIREMENTS:

2004	109%
2005	80%
2006	115%
2007	100%
2008	88%
2009	68%

I. BASE PRICE: (FOB Railcar)

2004	\$2.0729 per MMBtu
2005	\$2.0729 per MMBtu
2006	\$2.0000 per MMBtu
2007	\$48.00 per ton
2008	\$43.25 per ton
2009	\$72.00 per ton

J. ESCALATIONS TO DATE:

None

K. CURRENT CONTRACT PRICE:

\$72.00 per ton

A. NAME/ADDRESS: Marietta Coal Company / KUF05033-LGE05010  
629220 Georgetown Road  
Cambridge, Ohio 43725

B. PRODUCTION FACILITY:  
 OPERATOR Marietta Coal Company  
 MINE Belmont Mine  
 LOCATION Belmont and Jefferson Counties, Ohio  
 MINE West Virginia Strip Mine  
 LOCATION Ohio County, West Virginia

C. CONTRACT EXECUTED DATE: November 15, 2004

D. CONTRACT DURATION: October 1, 2004 – December 31, 2009  
(Negotiating extension for carryover tons)

E. CONTRACT AMENDMENTS: Amendment No. 1 effective June 15, 2005.  
Amending quality and price for two months  
Amendment No. 2 effective September 1, 2006. Amending payment terms.  
Amendment No. 3 effective March 1, 2007.  
Amending payment calculation.

F. ANNUAL TONNAGE REQUIREMENTS:

2004	30,000 tons
2005	200,000 tons
2006	200,000 tons
2007	300,000 tons
2008	300,000 tons

G. ACTUAL TONNAGE RECEIVED:

	<u>KU</u>	<u>LGE</u>
2004	0 tons	13,235 tons
2005	0 tons	104,512 tons
2006	4,977 tons	198,757 tons
2007	5,021 tons	146,281 tons
2008	0 tons	21,436 tons
2009	8,067 tons	3,231 tons

(through 4/30/09)



H. PERCENT OF ANNUAL REQUIREMENTS:	2004	44%
	2005	52%
	2006	102%
	2007	50%
	2008	7%
	2009	carry-over
I. BASE PRICE (FOB Barge):	2004	\$1.194 per MMBtu
	2005	\$1.194 per MMBtu
	2006	\$27.25 per ton
	2007	\$27.75 per ton
	2008	\$28.25 per ton
J. ESCALATIONS TO DATE:		None
K. CURRENT CONTRACT PRICE:		\$27.75 per ton

A. NAME/ADDRESS: COALSALES, LLC / KUF06118-  
LGE06012-J07005-J07006  
701 Market Street  
St. Louis, Missouri 63101

B. PRODUCTION FACILITY:

OPERATOR	Patriot Coal and Ohio Coal
MINE	Patriot and Freedom Mines
LOCATION	Henderson County, Kentucky
OPERATOR	Black Beauty Coal Company
MINE	Somerville Mine
LOCATION	Gibson County, Indiana

C. CONTRACT EXECUTED DATE: May 23, 2006

D. CONTRACT DURATION: April 1, 2006 – December 31, 2011

E. CONTRACT AMENDMENTS: Amendment No. 1 effective September 1, 2006. Amending payment procedures.  
Amendment No. 3 effective March 1, 2007. Amending payment calculation.  
Amendment No.4 effective July 1, 2007 adding tonnage to year 2007.  
Amendment No.5 effective January 1, 2008 amending term, tonnage and price.  
Amendment No. 6 effective January 1, 2009 amending term, tonnage and price

F. ANNUAL TONNAGE REQUIREMENTS:

2006	937,500 tons
2007	2,000,000 tons
2008	1,400,000 tons
2009	1,000,000 tons
2010	1,000,000 tons
2011	1,000,000 tons

G. ACTUAL TONNAGE RECEIVED:

	<u>KU</u>	<u>LGE</u>
2006	0 tons	957,654 tons
2007	225,229 tons	1,770,880 tons
2008	181,615 tons	1,142,551 tons
2009	3,106 tons	322,467 tons
(through 4/30/09)		

H. PERCENT OF ANNUAL REQUIREMENTS:	2006	102%
	2007	100%
	2008	95%
	2009	33%
I. BASE PRICE (FOB Barge):	2006	\$1.38/MMBtu – Quality A Barge \$1.38/MMBtu – Quality B Barge
	2007	\$30.60 per ton – Quality A Barge \$31.02 per ton – Quality B Barge
	2008	\$31.60 per ton – Barge
	2009	\$30.41 – Rail (first 750,000 tons) \$36.25 – Rail (next 250,000 tons)
	2010	\$37.25 per ton
	2011	\$39.25 per ton
J. ESCALATIONS TO DATE:	None	
K. CURRENT CONTRACT PRICE:	\$30.41 per ton	

A. NAME/ADDRESS: CHAROLAIS COAL SALES, LLC/J07003  
Highway 862, P.O. Box 1999  
Madisonville, Kentucky

B. PRODUCTION FACILITY:  
OPERATOR Charolais Coal No.1, LLC & Charolais Coal Resources, LLC  
MINE Vogue West & Rock Crusher Mines  
LOCATION Muhlenberg County, Kentucky

C. CONTRACT EXECUTED DATE: December 21, 2006

D. CONTRACT DURATION: January 1, 2007 – December 31, 2010

E. CONTRACT AMENDMENTS: None

F. ANNUAL TONNAGE REQUIREMENTS:

2007	600,000 tons
2008	700,000 tons
2009	1,200,000 tons
2010	1,000,000 tons

G. ACTUAL TONNAGE RECEIVED:

	<u>KU</u>	<u>LGE</u>
2007	361,950 tons	229,223 tons
2008	384,389 tons	79,983 tons
2009	117,468 tons	57,444 tons

(through 4/30/09)

H. PERCENT OF ANNUAL REQUIREMENTS:

2007	99%
2008	66%
2009	15%

I. BASE PRICE (FOB Barge):

2007	\$32.20 per ton
2008	\$32.75 per ton
2009	\$34.10 per ton
2010	\$36.10 per ton

J. ESCALATIONS TO DATE: None

K. CURRENT CONTRACT PRICE: \$32.75 per ton

A. NAME/ADDRESS: ARCH COAL SALES COMPANY, INC. /  
K07001  
1 CityPlace, Suite 300  
St. Louis, Missouri 63141

B. PRODUCTION FACILITY:  
OPERATOR Arch Coal, Inc.  
MINE Holden 22  
LOCATION Logan County, West Virginia

C. CONTRACT EXECUTED DATE: September 22, 2006

D. CONTRACT DURATION: January 1, 2007 – December 31, 2008

E. CONTRACT AMENDMENTS: None

F. ANNUAL TONNAGE REQUIREMENTS:

2007	240,000 tons
2008	360,000 tons

G. ACTUAL TONNAGE RECEIVED:

2007	225,271 tons
2008	344,330 tons
2009	31,010 tons

H. PERCENT OF ANNUAL REQUIREMENTS:

2007	94%
2008	96%
2009	carry-over

I. BASE PRICE (FOB Barge):

2007	\$66.395 per ton
2008	\$66.469 per ton

J. ESCALATIONS TO DATE: None

K. CURRENT CONTRACT PRICE: \$66.469 per ton

A. NAME/ADDRESS:	Hopkins County Coal LLC / K07015 1717 South Boulder Av., Suite 400 Tulsa, Oklahoma 74119-4886
B. PRODUCTION FACILITY:	
OPERATOR	Hopkins County Coal, LLC
MINE	Hopkins County Coal, Webster County Coal, Gibson County Coal
LOCATION	Hopkins, Webster Counties, Kentucky Gibson County, Indiana
C. CONTRACT EXECUTED DATE:	February 5, 2007
D. CONTRACT DURATION:	February 1, 2007 – December 31, 2008
E. CONTRACT AMENDMENTS:	None
F. ANNUAL TONNAGE REQUIREMENTS:	2007 175,000 tons 2008 200,000 tons
G. ACTUAL TONNAGE RECEIVED:	2007 200,980 tons 2008 200,090 tons
H. PERCENT OF ANNUAL REQUIREMENTS:	2007 115% 2008 100%
I. BASE PRICE (FOB Plant):	2007 \$43.26 per ton 2008 \$43.26 per ton
J. ESCALATIONS TO DATE:	\$1.17 per ton
K. CURRENT CONTRACT PRICE:	\$44.43 per ton

A. NAME/ADDRESS:	Charolais Coal Sales, LLC & Phoenix Coal Corp. / K07031 1215 Nebo Road, Suite A Madisonville, Kentucky 42431	
B. PRODUCTION FACILITY: OPERATOR MINE LOCATION	Rapid Energy, Inc., & Phoenix Coal Corp. Caterpillarville, Briar Hill Hopkins, Muhlenberg Counties, Kentucky	
C. CONTRACT EXECUTED DATE:	August 1, 2007	
D. CONTRACT DURATION:	August 15, 2007 – December 31, 2010	
E. CONTRACT AMENDMENTS:	Contract assigned from American Mining & Manufacturing, LLC. Amendment No. 1 effective 1/1/09, extending term, adding delivery points, changing quality and price.	
F. ANNUAL TONNAGE REQUIREMENTS:	2007	94,273 tons
	2008	74,708 tons
	2009	290,509 tons
	2010	290,509 tons
G. ACTUAL TONNAGE RECEIVED:	2007	94,274 tons
	2008	74,708 tons
	2009	95,902 tons (through 4/30/09)
H. PERCENT OF ANNUAL REQUIREMENTS:	2007	100%
	2008	100%
	2009	33%
I. BASE PRICE (FOB Plant):	2007/2008	\$39.79 per ton
	2008/2009	\$40.46 per ton
	2009	\$40.67 per ton
	2009/2010	\$41.54 per ton
	2010	\$40.42 per ton
(FOB Barge):	2009	\$39.24 per ton
	2009/2010	\$39.44 per ton
	2010	\$40.29 per ton
	2010	\$41.89 per ton

J. ESCALATIONS TO DATE: None

K. CURRENT CONTRACT PRICE:  
    FOB Barge \$39.24 per ton



A. NAME/ADDRESS:	Sands Hill Coal Company / J07004 38701 State Road 160, P.O. Box 650 Hamden, Ohio 45634		
B. PRODUCTION FACILITY:	Sands Hill Coal Company		
OPERATOR	Sands Hill		
MINE	Jackson, Vinton Counties, Ohio		
LOCATION			
C. CONTRACT EXECUTED DATE:	January 2, 2007		
D. CONTRACT DURATION:	January 1, 2007 – December 31, 2008		
E. CONTRACT AMENDMENTS:	None		
F. ANNUAL TONNAGE REQUIREMENTS:	2007	144,000 tons	
	2008	180,000 tons	
G. ACTUAL TONNAGE RECEIVED:		<u>KU</u>	<u>LGE</u>
	2007	67,584 tons	85,937 tons
	2008	126,389 tons	53,730 tons
H. PERCENT OF ANNUAL REQUIREMENTS:	2007	107%	
	2008	100%	
I. BASE PRICE (FOB Barge):	2007	\$34.50 per ton	
	2008	\$35.50 per ton	
J. ESCALATIONS TO DATE:	\$7.01		
K. CURRENT CONTRACT PRICE:			
FOB Barge	\$42.51 per ton		

A. NAME/ADDRESS: Alpha Coal Sales Co., LLC. / K07002  
One Energy Place  
Latrobe, PA 15650

B. PRODUCTION FACILITY:  
OPERATOR: Enterprise Mining Co., LLC  
MINES: Various mines operated by Enterprise Mining Co, LLC.  
LOCATION: Perry & Knott Counties, KY

C. CONTRACT EXECUTED DATE: September 21, 2006

D. CONTRACT DURATION: January 1, 2007 – December 31, 2011

E. CONTRACT AMENDMENTS: Amendment No. 1 effective March 1, 2007.  
Amending payment calculation.  
Amendment No. 2 effective September 1, 2007. Consent for substitution.  
Amendment No. 3 effective April 1, 2008 amending term, tonnage, quality and price.

F. ANNUAL TONNAGE REQUIREMENTS:

2007	324,000 tons
2008	324,000 tons
2009	500,000 tons
2010	250,000 tons

G. ACTUAL TONNAGE RECEIVED:

2007	285,132 tons
2008	366,381 tons
2009	95,902 tons (through 4/30/09)

H. PERCENT OF ANNUAL REQUIREMENTS:

2007	88%
2008	113%
2009	19%

I. BASE PRICE: (FOB Railcar)

2007	\$43.50 per ton
2008	\$43.50 per ton (through 4/30/08)
2008	\$60.58403 per ton
2009	\$60.58403 per ton
2010	\$72.00 per ton

J. ESCALATIONS TO DATE: None

K. CURRENT CONTRACT PRICE: \$60.58403 per ton

A. NAME/ADDRESS: Nally and Hamilton Enterprises, Inc./  
K08018  
109 South 4<sup>th</sup> Street  
Bardstown, Kentucky 40004

B. PRODUCTION FACILITY:  
OPERATOR: Nally & Hamilton Enterprises, Inc.  
MINES: Balkan, Wolfpen Branch, Big Laurel  
LOCATION: Knox, Bell, Harlan, Letcher and Perry  
Counties, KY

C. CONTRACT EXECUTED DATE: May 1, 2008

D. CONTRACT DURATION: May 1, 2008 - December 31, 2011

E. CONTRACT AMENDMENTS: None

F. ANNUAL TONNAGE REQUIREMENTS:

	<u>EW Brown</u>
2008	90,000 tons
2009	180,000 tons
2010	180,000 tons

	<u>Ghent</u>
2008	60,000 tons
2009	120,000 tons
2010	120,000 tons

G. ACTUAL TONNAGE RECEIVED:

	<u>EW Brown</u>
2008	100,368 tons
2009	78,142 tons (through 4/30/09)

	<u>Ghent</u>
2008	47,666 tons
2009	36,611 tons (through 4/30/09)

H. PERCENT OF ANNUAL  
REQUIREMENTS:

EW Brown  
2008 112%  
2009 43%

Ghent  
2008 79%  
2009 31%

I. BASE PRICE: (FOB Railcar)

EW Brown  
2008 \$66.00 per ton  
2009 \$67.00 per ton  
2010 \$69.00 per ton

BASE PRICE: (FOB Railcar)

Ghent  
2008 \$52.50 per ton  
2009 \$48.50 per ton  
2010 \$49.50 per ton

J. ESCALATIONS TO DATE:

EW Brown  
\$0.00 per ton

Ghent  
\$0.00 per ton

K. CURRENT CONTRACT PRICE:

EW Brown  
\$67.00 per ton

Ghent  
\$48.50 per ton

A. NAME/ADDRESS:	The American Coal Company / J08016 101 Prosperous Place, Suite 125 Lexington, Kentucky 40509		
B. PRODUCTION FACILITY:			
OPERATOR:	The American Coal Company		
MINES:	Galatia Mine		
LOCATION:	Saline County, Illinois		
C. CONTRACT EXECUTED DATE:	April 1, 2008		
D. CONTRACT DURATION:	July 1, 2008 - December 31, 2010		
E. CONTRACT AMENDMENTS:	None		
F. ANNUAL TONNAGE REQUIREMENTS:	2008	280,000 tons	
	2009	600,000 tons	
	2010	600,000 tons	
G. ACTUAL TONNAGE RECEIVED:		<u>KU</u>	<u>LGE</u>
	2008	203,131 tons	35,918 tons
	2009	167,816 tons (through 4/30/09)	0 tons
H. PERCENT OF ANNUAL REQUIREMENTS:	2008	85%	
	2009	28%	
I. BASE PRICE: (FOB Plant)		<u>Green River</u>	
	2008	\$66.00 per ton	
	2009	\$66.00 per ton	
	2010	\$66.00 per ton	
BASE PRICE: (FOB Barge)	2008	\$54.00 per ton	
	2009	\$54.00 per ton	
	2010	\$54.00 per ton	
J. ESCALATIONS TO DATE:		<u>FOB Plant</u>	
		\$0.92 per ton	
		<u>FOB Barge</u>	
		\$0.81 per ton	

K. CURRENT CONTRACT PRICE:

FOB Plant  
\$66.92 per ton

FOB Barge  
\$54.81 per ton

A. NAME/ADDRESS: Armstrong Coal Company, Inc / J07032  
407 Brown Road  
Madisonville, Kentucky 42431

B. PRODUCTION FACILITY:  
OPERATOR Armstrong Coal Company, Inc  
MINES Various  
LOCATION Muhlenberg County and Ohio County,  
Kentucky

C. CONTRACT EXECUTED DATE: December 20, 2007

D. CONTRACT DURATION: January 1, 2008 - December 31, 2015

E. CONTRACT AMENDMENTS: Amendment No. 1, effective July 1, 2008  
amending base quantity and modifying  
diesel fuel adjustment to include explosives

F. ANNUAL TONNAGE REQUIREMENTS:

2008	600,000 tons
2009	2,300,000 tons
2010	3,800,000 tons
2011 and 2012	4,200,000 tons per year
2013 through 2015	4,000,000 tons per year

G. ACTUAL TONNAGE RECEIVED:

	<u>KU</u>	<u>LGE</u>
2008	82,623 tons	511,414 tons
2009	68,974 tons	385,349 tons
	(through 4/30/09)	

H. PERCENT OF ANNUAL REQUIREMENTS:

2008	99%
2009	20%



I. BASE PRICE (FOB Barge)	2008	Quality 1 - \$27.31 per ton Quality 2 - \$28.30 per ton
	2009	Quality 1 - \$27.60 per ton Quality 2 - \$28.76 per ton
	2010	First 200,000 tons: Quality 1 - \$27.60 per ton Quality 2 - \$28.76 per ton  Remaining 3,600,000 tons: Quality 1 - \$28.21 per ton Quality 2 - \$29.63 per ton
	2011	First 400,000 tons Quality 1 - \$28.21 per ton Quality 2 - \$29.63 per ton  Remaining 3,800,000 tons: Quality 1 - \$28.36 per ton Quality 2 - \$29.78 per ton
	2012	First 200,000 tons Quality 1 - \$28.36 per ton Quality 2 - \$29.78 per ton  Remaining 4,000,000 tons: Quality 1 - \$28.51 per ton Quality 2 - \$29.93 per ton
	2013	Quality 1 - \$28.66 per ton Quality 2 - \$30.08 per ton
	2014	Quality 1 - \$28.81 per ton Quality 2 - \$30.23 per ton
	2015	Quality 1 - \$28.96 per ton Quality 2 - \$30.38 per ton
J. ESCALATIONS TO DATE:		\$0.00 per ton
K. CURRENT CONTRACT PRICE:		Quality 1 - \$27.60 per ton Quality 2 - \$28.76 per ton

A. NAME/ADDRESS:	Emerald International J07029 6895 Burlington Pike Florence, Kentucky 41042	
B. PRODUCTION FACILITY:		
OPERATOR	Western Kentucky Minerals	
MINE	Joe's Run Mine	
LOCATION	Davies County, Kentucky	
C. CONTRACT EXECUTED DATE:	August 3, 2007	
D. CONTRACT DURATION:	July 15, 2007 – December 31, 2008	
E. CONTRACT AMENDMENTS:	Amendment No. 1 effective September 1, 2007 amending quantity Amendment No. 2 effective March 1, 2008 amending quantity, weights and sampling, and price. Amendment No. 3 effective May 1, 2008 amending quality and price	
F. ANNUAL TONNAGE REQUIREMENTS:	2007	81,000 tons
	2008	300,000 tons
	2009	300,000 tons
G. ACTUAL TONNAGE RECEIVED:		
		<u>KU</u>
	2007	7,571 tons
	2008	149,727 tons
	2009	37,498 tons
		(through 4/30/09)
		<u>LGE</u>
		66,330 tons
		41,498 tons
		35,156 tons
H. PERCENT OF ANNUAL REQUIREMENTS:	2007	91%
	2008	64%
	2009	24%
I. BASE PRICE (FOB Barge):	2007	\$30.45 per ton (first 60,000 tons)
	2007	\$31.00 per ton (remaining tons)
	2008	\$31.00 per ton (first 20,000 tons)
	2008	\$37.25 per ton (remaining tons)
	2009	\$38.00 per ton
J. ESCALATIONS TO DATE:	None	
K. CURRENT CONTRACT PRICE:	\$37.25 per ton	

A. NAME/ADDRESS:	Patriot Coal Sales, LLC / J07037 12312 Olive Boulevard, Suite 400 St. Louis, Missouri 63141	
B. PRODUCTION FACILITY:	Patriot Coal and Ohio County Coal	
OPERATOR	Patriot and Freedom Mines	
MINE	Henderson County, Kentucky	
LOCATION		
C. CONTRACT EXECUTED DATE:	January 15, 2008	
D. CONTRACT DURATION:	January 1, 2008 - December 31, 2009	
E. CONTRACT AMENDMENTS:	None	
F. ANNUAL TONNAGE REQUIREMENTS:	2008	1,250,000 tons
	2009	1,250,000 tons
G. ACTUAL TONNAGE RECEIVED:	<u>KU</u>	<u>LGE</u>
	2008	470,649 tons
	2009	197,734 tons
	(through 4/30/09)	
H. PERCENT OF ANNUAL REQUIREMENTS:	2008	94%
	2009	32%
I. BASE PRICE (FOB Barge):	2008	\$30.00 per ton
	2009	\$31.00 per ton
J. ESCALATIONS TO DATE:	None	
K. CURRENT CONTRACT PRICE:	\$31.00 per ton	

A. NAME/ADDRESS:	Rhino Energy, LLC / J08028 3120 Wall Street, Suite 310 Lexington, Kentucky 40513													
B. PRODUCTION FACILITY: OPERATOR MINE LOCATION	Sands Hill Coal Company Sands Hill Mine Jackson and Vinton Counties, Ohio													
C. CONTRACT EXECUTED DATE:	July 13, 2008													
D. CONTRACT DURATION:	July 1, 2008 – December 31, 2012													
E. CONTRACT AMENDMENTS:	None													
F. ANNUAL TONNAGE REQUIREMENTS:	<table border="0"> <tr><td>2008</td><td>90,000 tons</td></tr> <tr><td>2009</td><td>360,000 tons</td></tr> <tr><td>2010</td><td>360,000 tons</td></tr> <tr><td>2011</td><td>360,000 tons</td></tr> <tr><td>2012</td><td>360,000 tons</td></tr> </table>		2008	90,000 tons	2009	360,000 tons	2010	360,000 tons	2011	360,000 tons	2012	360,000 tons		
2008	90,000 tons													
2009	360,000 tons													
2010	360,000 tons													
2011	360,000 tons													
2012	360,000 tons													
G. ACTUAL TONNAGE RECEIVED:	<table border="0"> <tr><td></td><td style="text-align: center;"><u>KU</u></td><td style="text-align: center;"><u>LGE</u></td></tr> <tr><td>2008</td><td>53,552 tons</td><td>31,033 tons</td></tr> <tr><td>2009</td><td>76,225 tons</td><td>60,688 tons</td></tr> <tr><td></td><td colspan="2">(through 4/30/09)</td></tr> </table>		<u>KU</u>	<u>LGE</u>	2008	53,552 tons	31,033 tons	2009	76,225 tons	60,688 tons		(through 4/30/09)		
	<u>KU</u>	<u>LGE</u>												
2008	53,552 tons	31,033 tons												
2009	76,225 tons	60,688 tons												
	(through 4/30/09)													
H. PERCENT OF ANNUAL REQUIREMENTS:	<table border="0"> <tr><td>2008</td><td>94%</td></tr> <tr><td>2009</td><td>38%</td></tr> </table>		2008	94%	2009	38%								
2008	94%													
2009	38%													
I. BASE PRICE (FOB Barge):	<table border="0"> <tr><td>2008</td><td>\$49.25 per ton</td></tr> <tr><td>2009</td><td>\$49.25 per ton</td></tr> <tr><td>2010</td><td>\$50.25 per ton</td></tr> <tr><td>2011</td><td>\$51.85 per ton</td></tr> <tr><td>2012</td><td>\$53.40 per ton</td></tr> </table>		2008	\$49.25 per ton	2009	\$49.25 per ton	2010	\$50.25 per ton	2011	\$51.85 per ton	2012	\$53.40 per ton		
2008	\$49.25 per ton													
2009	\$49.25 per ton													
2010	\$50.25 per ton													
2011	\$51.85 per ton													
2012	\$53.40 per ton													
J. ESCALATIONS TO DATE:	-\$4.35 per ton													
K. CURRENT CONTRACT PRICE:	\$44.90 per ton													

A. NAME/ADDRESS:	Patriot Coal Sales, LLC / J09001 12312 Olive Boulevard, Suite 400 St. Louis, Missouri 63141	
B. PRODUCTION FACILITY: OPERATOR MINE LOCATION	Patriot Coal and Ohio County Coal Patriot and Freedom Mines Henderson County, Kentucky	
C. CONTRACT EXECUTED DATE:	February 24, 2009	
D. CONTRACT DURATION:	January 1, 2009 - December 31, 2010	
E. CONTRACT AMENDMENTS:	None	
F. ANNUAL TONNAGE REQUIREMENTS:	2009	200,000 tons
	2010	1,000,000 tons
G. ACTUAL TONNAGE RECEIVED:	<u>KU</u>	<u>LGE</u>
	2009	22,067 tons
		(through 4/30/09)
		37,849 tons
H. PERCENT OF ANNUAL REQUIREMENTS:	2009	30%
I. BASE PRICE (FOB Barge):	2009	\$38.00 per ton Quality 1 \$49.00 per ton Quality 2
	2010	\$39.00 per ton Quality 1 \$51.00 per ton Quality 2
J. ESCALATIONS TO DATE:		\$0.69 per ton Quality 1 \$0.90 per ton Quality 2
K. CURRENT CONTRACT PRICE:		\$38.69 per ton Quality 1 \$49.90 per ton Quality 2

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 9**

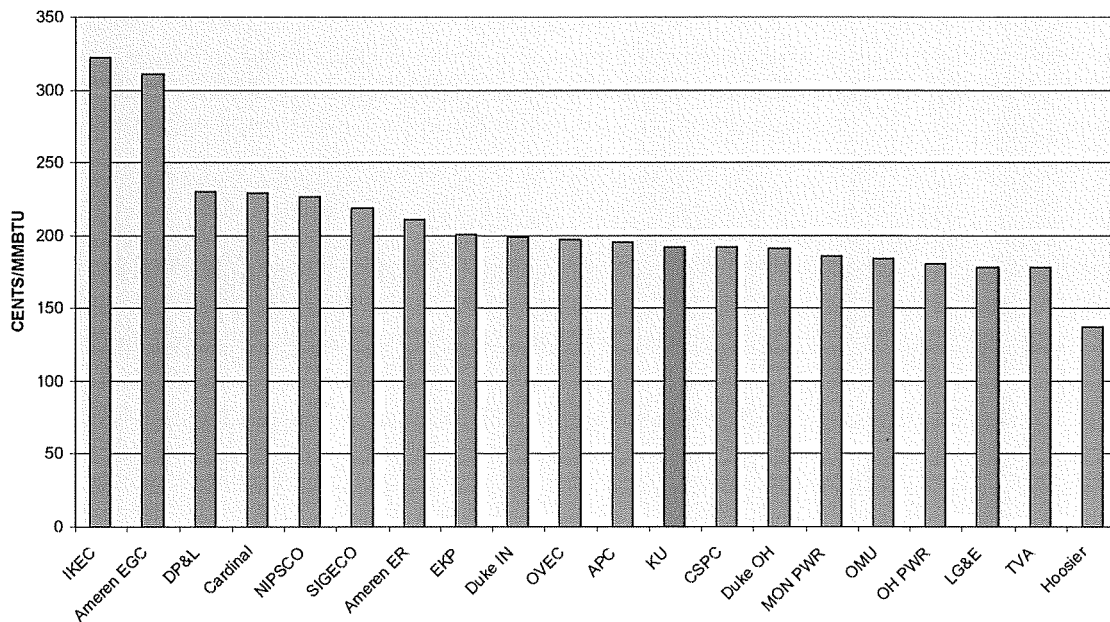
**Witness: Mike Dotson**

- Q-9. a. Does KU regularly compare the price of its coal purchases with those paid by other electric utilities?
- b. If yes, state:
- (1) How KU's prices compare with those of other utilities for the review period.
- (2) The utilities that are included in this comparison and their locations.
- A-9. a. Yes.
- b. KU compares pricing of its coal purchases with neighboring utilities from FERC Form No. 423 data that is compiled by Platts CoalDat database (division of McGraw Hill Companies). The utilities included in the comparison are shown on the list found on page 1 of the Attachment to this response. The chart on page 2 of the Attachment shows the comparison for coal greater than 5.0 lbs. SO<sub>2</sub> content, which are in line with KU's scrubbed units. The chart found on page 3 of the Attachment shows the comparison for coal less than 5.0 lbs. SO<sub>2</sub>, which would be in line with KU's non-scrubbed units, Ghent Unit 2 compliance, Tyrone Station for NYMEX coal, Brown Station for low sulfur coal, and Green River Station for mid-sulfur coal.

## Utilities in Comparison List

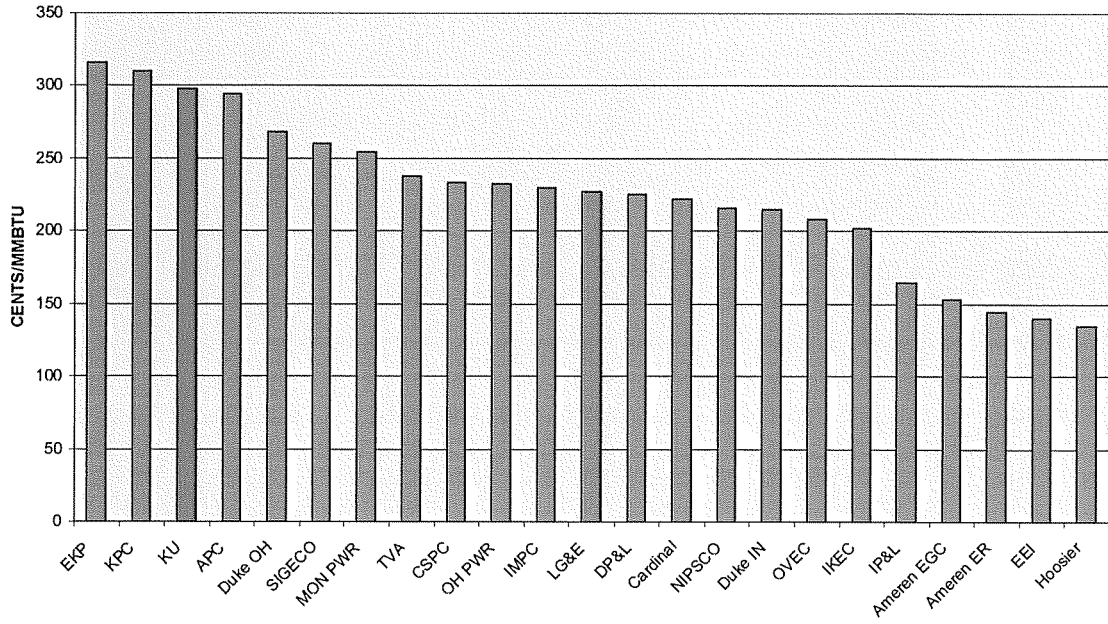
UTILITY	ABBREVIATED	PLANT LOCATIONS
Ameren Energy Resources	Ameren ER	Illinois
AmerenEnergy Generating Co.	Ameren EGC	Illinois
Appalachian Power Co.	APC	Virginia, West Virginia
Cardinal Operating Co.	Cardinal	Ohio
Duke Energy Ohio	Duke OH	Kentucky, Ohio
Columbus Southern Power Co.	CSPC	Ohio
Dayton Power & Light Co.	DP&L	Ohio
East Kentucky Power Coop, Inc.	EKP	Kentucky
Electric Energy, Inc.	EEI	Illinois
Hoosier Energy Rural Electric Coop, Inc.	Hoosier	Indiana
Indiana Michigan Power Co.	IMPC	Indiana
Indiana-Kentucky Electric Corp.	IKEC	Indiana
Indianapolis Power & Light Co.	IP&L	Indiana
Kentucky Power Co.	KPC	Kentucky
Kentucky Utilities Co.	KU	Kentucky
Louisville Gas & Electric Co.	LG&E	Kentucky
Monongahela Power Co.	MON PWR	West Virginia
Northern Indiana Public Service Co.	NIPSCO	Indiana
Ohio Power Co.	OH PWR	Ohio, West Virginia
Ohio Valley Electric Corp.	OVEC	Ohio
Owensboro Municipal Utilities	OMU	Kentucky
Duke Energy Indiana	Duke IN	Indiana
Southern Indiana Gas & Electric Co.	SIGECO	Indiana
Tennessee Valley Authority	TVA	Alabama, Kentucky, Tennessee

**"SCRUBBED" PRICE COMPARISON  
(Jun 08 - May 09)**





"NON-SCRUBBED" PRICE COMPARISON  
(Jun 08 - May 09)



**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 10**

**Witness: Mike Dotson**

Q-10. State the percentage of KU's coal, as of the date of this Order, that is delivered by:

- a. Rail;
- b. Truck; and
- c. Barge.

- A-10. a. Rail 20%
- b. Truck 7%
- c. Barge 73%

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 11**

**Witness: Mike Dotson**

- Q-11. a. State KU's coal inventory level in tons and in number of days' supply as of April 30, 2009.
- b. Describe the criteria used to determine number of days' supply.
- c. Compare KU's coal inventory as of April 30, 2009 to its inventory target for that date.
- d. If actual coal inventory exceeds inventory target by 10 days' supply, state the reasons for the excessive inventory.
- e. (1) Does KU expect any significant changes in its current coal inventory target within the next 12 months?
- (2) If yes, state the expected change and the reasons for this change.
- A-11. a. As of April 30, 2009; 1,293,893 tons; 62 Days
- b. Days Burn =  $\frac{\text{Current inventory tons}}{\text{Preceding 12 months burn (tons)}} \times 365 \text{ Days}$
- c. Target 29 - 46 Days
- d. As a result of decreasing load, caused by the general economic slow down and KU's Units being higher in the dispatch order, overall burn decreased resulting in increased inventory.
- e. (1) No
- (2) Not Applicable

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 12**

**Witness: Mike Dotson**

- Q-12. a. Has KU audited any of its coal contracts during the period from November 1, 2008 through April 30, 2009?
- b. If yes, for each audited contract:
- (1) Identify the contract;
  - (2) Identify the auditor;
  - (3) State the results of the audit; and
  - (4) Describe the actions that KU took as a result of the audit.
- A-12. a. No. KU has not conducted any financial audits of coal companies. KU's current coal contracts are fixed price or a portion of the base contract price is adjusted using government published indices to reflect the changes in the cost. These agreements thus do not require audits. KU's Manager Fuels Technical Services or Mining Engineer does conduct scheduled on-site reviews and inspections of the mining operations and sampling systems of each vendor up to twice a year and may conduct unscheduled visits. Additionally, KU employees may visit a vendor as needed to address problems and issues at any time.

Coal mine safety regulations were imposed by the Federal Mine Safety and Health Administration. The U. S. Congress passed the Mine Improvement and New Emergency Response Act of 2006 (MINER Act), which became law on June 15, 2006. For claims received, KU has hired Weir International, Inc. (a consultant with experience in the mining industry) to review the request.

Smoky Mountain Coal in accordance with the provisions of Section 8.3 New Imposition of Agreement KUF-02860 requested a price increase of \$1.48 per

ton for the period July 1, 2007 – May 31, 2008 and a price increase of \$0.88 per ton for the period of June 1, 2008 – September 30, 2008. Weir is reviewing the claims for this period. As indicated in the response to Question No. 14, KU is currently in litigation on this contract.

Coalsales, LLC in accordance with the provisions of Section of 8.4 New Imposition of Agreement KUF05021 requested a price increase of \$0.43 per ton for the period March – December 2006. A draft Weir report has been forwarded to Coalsales for review.

Coalsales, LLC in accordance with the provisions of Section of 8.4 New Imposition of Agreement KUF06118 requested a price increase of \$1.15 per ton for calendar year 2007. A draft Weir report has been forwarded to Coalsales for review.

Infinity Coal Sales in accordance with the provisions of Section of 8.4 New Imposition of Agreement KUF06105 requested a price increase for calendar year 2007 and 2008. A draft Weir report has been forwarded to Infinity for review.

Alpha Natural Resources in accordance with the provisions of Section 8.4 New Impositions of Agreements K07002 and KUF05013 and Section 8.5 New Impositions of Agreement K06001 has requested price increases ranging from \$0.0012 per ton up to \$0.37 per ton for various time periods. The claims are for the period of February 8, 2006 through June 30, 2008. Weir is reviewing the claims.

Hopkins County in accordance with the provisions of Section 21 Governmental Impositions of Agreement K07015 has requested a price increase of \$0.39 per ton for 2007. Weir is reviewing the claim.

Perry County Coal Corporation in accordance with the provisions of Section 8.5 New Impositions of Agreement KUF06108 has requested a price increase of \$0.79 per ton effective January 1, 2008. A draft Weir report has been forwarded to Perry for review.

Perry County Coal Corporation in accordance with the provisions of Section 8.4 New Impositions of Agreement KUF06125 has requested a price increase of \$1.13 per ton effective January 1, 2008. A draft Weir report has been forwarded to Perry for review.

Patriot Coal Sales LLC in accordance with the provisions of Section 8.4 New Impositions of Agreement J07037 has requested a price increase of \$0.95 per

ton for calendar year 2008. A draft Weir report has been forwarded to Patriot for review.

Patriot Coal Sales LLC in accordance with the provisions of Section 8.5 Price Adjustments for Changes in Governmental Impositions of Contract J09001 has requested price adjustments for calendar year 2009. A draft Weir report has been forwarded to Patriot for review.

Armstrong Coal Company in accordance with the provisions of Section 8.5 New Impositions of Agreement J07032 has requested a price increase for the period of July – September 2008. Based on Weir report dated March 2009, the Armstrong Claim has been settled. The Weir March 2009 report contains confidential and proprietary information. A copy is being filed with the Commission under seal pursuant to a Petition for Confidential Treatment.

- b. Not applicable

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 13**

**Witness: Robert M. Conroy**

- Q-13. a. Has KU received any customer complaints regarding its FAC during the period from November 1, 2008 through April 30, 2009?
- b. If yes, for each complaint, state:
- (1) The nature of the complaint; and
  - (2) KU's response.
- A-13. a. No.
- b. Not Applicable.

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 14**

**Witness: Mike Dotson**

- Q-14. a. Is KU currently involved in any litigation with its current or former coal suppliers?
- b. If yes, for each litigation:
- (1) Identify the coal supplier;
  - (2) Identify the coal contract involved;
  - (3) State the potential liability or recovery to KU;
  - (4) List the issues presented; and
  - (5) Provide a copy of the complaint or other legal pleading that initiated the litigation and any answers or counterclaims. If a copy has previously been filed with the Commission, provide the date on which it was filed and the case in which it was filed.
- c. State the current status of all litigation with coal suppliers.

A-14. a. Yes

**Coal Purchase Order KUF-03975**

- b. (1) Cook & Sons Mining
- (2) Coal Purchase Order KUF-03975 dated October 2, 2003, entered into post bankruptcy petition.
- (3) KU seeks to recover damages sustained by KU arising from the non-delivery of 27,699 tons of coal.



- (4) KU claimed that the Debtor failed to make delivery of 27,699 tons of coal provided by the Purchase Order and thereby breached the Purchase Order.
- (5) A copy of the Amended Application for Allowance and Payment of Administrative Expenses filed in the United States Bankruptcy Court in the Eastern District of Kentucky was filed with the Commission in Case No. 2004-00213.

An Agreed Order issued by United States Bankruptcy Court in the Eastern District of Kentucky was filed with the Commission in Case No. 2004-00213.

- c. May 16, 2008 KU received check no. 1249 for \$85,874.17 for final distribution – administrative expense. The amount was credited against coal purchase expense for the E. W. Brown Station.

November 19, 2008 KU received check no. 1306 for \$10,942.27 for supplemental distribution. The amount was credited against coal purchases expense for the E. W. Brown Station. This case is now closed.

**Coal Supply Agreement KUF-06145**

- b. (1) Bronco Hazelton Company
- (2) Coal Supply Agreement KUF-06145 dated August 8, 2003, filed for Chapter 11 bankruptcy on May 22, 2006. KU filed a Proof of Claims on January 16 and 17, 2007.
- (3) KU seeks to recover damages sustained by KU arising from the non-delivery of 445,910 tons of coal.
- (4) KU claimed that the Debtor failed to make delivery of 445,910 tons of coal provided by the Coal Supply Agreement and thereby breached the Coal Supply Agreement.
- (5) Bronco Hazelton Company's voluntary petition for Chapter 11 bankruptcy filed in the United States Bankruptcy Court in the Southern District of Indiana was filed with the Commission in Case No. 2006 - 00509.

- c. On May 22, 2006, the United States Bankruptcy Court in the Southern District of Indiana entered an order granting motion to reject the coal supply agreement from Chapter 11 protection and preserving KU's rights and claims related to the coal supply agreement. A copy of the order was filed with the Commission in Case No. 2006-00509. This case is ongoing.

**Coal Supply Agreement KUF02860/LGE02013**

- b. (1) Resource Sales, Inc. ("Resource"), Allied resources, Inc. ("Allied"), Cochise Coal Company, Inc. ("Cochise"), and Smoky Mountain Coal Corporation ("SMCC")
- (2) Coal Purchase Order KUF-02860 dated as of January 1, 2002, as amended.
- (3) KU seeks to recover damages sustained by KU arising from the non-delivery of 1,019,829 tons of coal. Plaintiffs seek to have the court interpret the force majeure provision in the Agreement, and to recover the amount of payments withheld by KU to offset KU's claim for damages.
- (4) Plaintiffs claim the force majeure provision should be interpreted in such a way that KU is not entitled to any more deliveries of coal pursuant to the Agreement. KU disagrees and withheld certain payments, as permitted under the Agreement, and demands that Plaintiffs resume deliveries as required under the Agreement.
- (5) A copy of the Complaint filed by the Plaintiffs in the Circuit Court of Webster County, Kentucky, Civil Action No. 08-CI-00334, a copy of the First Amended Complaint filed by the Plaintiffs in the Circuit Court of Webster, Kentucky, Civil Action No. 08-CI-00334, and a copy of the Answer and Counterclaim filed by KU was filed with the Commission in Case No. 2008-00520.
- c. This case is in the discovery phase and is ongoing.

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 15**

**Witness: Mike Dotson**

Q-15. a. During the period from November 1, 2008 through April 30, 2009, have there been any changes to KU's written policies and procedures regarding its fuel procurement?

b. If yes:

(1) Describe the changes;

(2) Provide the written policies and procedures as changed;

(3) State the date(s) the changes were made; and

(4) Explain why the changes were made.

A-15. a. Yes.

b. Changes were made to the Fuel Procurement Policies and Procedures effective January 1, 2009, as noted in the response to Question No. 28 in Case No. 2008-00520.

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 16**

**Witness: Mike Dotson**

- Q-16. a. Is KU aware of any violations of its policies and procedures regarding fuel procurement that occurred prior to or during the period from November 1, 2008 through April 30, 2009?
- b. If yes, for each violation:
- (1) Describe the violation;
  - (2) Describe the action(s) that KU took upon discovering the violation; and
  - (3) Identify the person(s) who committed the violation.
- A-16. a. No.
- b. Not applicable.

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 17**

**Witness: Mike Dotson**

Q-17. Identify and explain the reasons for all changes that occurred during the period from November 1, 2008 through April 30, 2009 in the organizational structure and personnel of the departments or divisions that are responsible for KU's fuel procurement activities.

A-17. No changes occurred in the Fuels Department during the period under review.

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 18**

**Witness: D. Ralph Bowling**

- Q-18. a. Identify all changes that KU has made during the period under review to its maintenance and operation practices that also affect fuel usage at KU's generation facilities.
- b. Describe the impact of these changes on KU's fuel usage.
- A-18. a. None.
- b. Not applicable.

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 19**

**Witness: Mike Dotson**

Q-19. List each written coal supply solicitation issued during the period from November 1, 2008 through April 30, 2009.

- a. For each solicitation, provide the date of the solicitation, the type of solicitation (contract or spot), the quantities solicited, a general description of the quality of coal solicited, the time period over which deliveries were requested, and the generating unit(s) for which the coal was intended.
- b. For each solicitation, state the number of vendors to whom the solicitation was sent, the number of vendors who responded, and the selected vendor. Provide the bid tabulation sheet or corresponding document that ranked the proposals. (This document should identify all vendors who made offers.) State the reasons for each selection.

A-19. SOLICITATION #1

- a. Date: March 2, 2009
- Contract/Spot: Contract or Spot
- Quantities: No minimum or maximum specified
- Quality: Suitable for LG&E power plants, KU's Ghent power plant and KU's E. W. Brown power plant (beginning mid-year 2009)
- Period: Up to 10 years
- Generating Units: All LG&E coal fired units, KU's Ghent power plant and KU's E. W. Brown power plant (beginning mid-year 2009)

- b. Number of vendors receiving bids: 167  
Number of vendors responded: 24  
Selected vendor(s): The final selection of the vendors has not been made at this time. Negotiations are still in progress. The names of the selected vendors and the supporting bid tabulation sheet will be provided to the Commission after the negotiations are complete and the vendors are chosen.

SOLICITATION #2

- a. Date: March 2, 2009  
Contract/Spot: Contract or Spot  
Quantities: No minimum or maximum specified  
Quality: Suitable for LG&E's Trimble County Unit 2 (PRB), KU's E. W. Brown and Green River power plants  
Period: Up to 10 years  
Generating Units: LG&E's Trimble County Unit 2, KU's E. W. Brown and Green River power plants

- b. Number of vendors receiving bids: 167  
Number of vendors responded: 10  
Selected vendor(s): Based on revised burn forecast no purchases needed at this time.

The bid analysis information is confidential and proprietary information and is being filed with the Commission under seal pursuant to a Petition for Confidential Treatment.



**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 20**

**Witness: Mike Dotson**

- Q-20. List each oral coal supply solicitation issued during the period from November 1, 2008 through April 30, 2009.
- a. For each solicitation, state why the solicitation was not written, the date(s) of the Solicitation, the quantities solicited, a general description of the quality of coal solicited, the time period over which deliveries were requested, and the generating unit(s) for which the coal was intended.
  - b. For each solicitation, identify all vendors solicited and the vendor selected. Provide the tabulation sheet or other document that ranks the proposals. (This document should identify all vendors who made offers.) State the reasons for each Selection.
- A-20. a. None.
- b. Not applicable.

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 21**

**Witness: Robert M. Conroy**

- Q-21. a. List all inter-system sales during the period under review in which KU used a third party's transmission system.
- b. For each sale listed above:
- (1) Describe how KU addressed, for FAC-reporting purposes, the cost of fuel expended to cover any line losses incurred to transmit its power across the third party's transmission system.
  - (2) State the line-loss factor used for each transaction and describe how that line-loss factor was determined.
- A-21. a. Please see the attached sheet for the combined LG&E/KU sales.
- b. (1) When an LG&E/KU Off System Sale (OSS) is made across a third party transmission system and losses are required across that third party system, the losses generated by LG&E/KU are included in AFB as part of the OSS volume so that the fuel for those losses is included as fuel burned for OSS.
- (2) The transmission provider calculates the line loss factor when transmission is purchased. The appropriate factor is part of that company's tariff, and is stated on the Oasis web site maintained by that company. The line loss factor for TVA is 3%.

<u>Date</u>	<u>Counterparty</u>	<u>Loss MWh</u>	<u>Sale MWh</u>	<u>Delivery Pt</u>
11/11/2008	Cobb Electric Company	19	554	TVA
11/12/2008	Cobb Electric Company	7	202	TVA
11/13/2008	Cobb Electric Company	6	38	TVA
11/14/2008	Cobb Electric Company	8	209	TVA
11/17/2008	Cobb Electric Company	7	170	TVA
11/23/2008	Cobb Electric Company	2	50	TVA
11/24/2008	Cobb Electric Company	2	66	TVA
11/28/2008	Cobb Electric Company	2	37	TVA
11/29/2008	Cobb Electric Company,	10	252	TVA
	<b>Cobb Total</b>	<hr/> 63	1,578	
11/30/2008	Progress Energy	12	344	TVA
	<b>Progress Energy Total</b>	<hr/> 12	344	
11/2/2008	Southern Company Services, Inc.	6	200	TVA
11/3/2008	Southern Company Services, Inc.	42	1,200	TVA
11/4/2008	Southern Company Services, Inc.	63	1,800	TVA
11/7/2008	Southern Company Services, Inc.	9	300	TVA
11/8/2008	Southern Company Services, Inc.	213	7,100	TVA
11/9/2008	Southern Company Services, Inc.	140	4,625	TVA
11/11/2008	Southern Company Services, Inc.	18	600	TVA
11/12/2008	Southern Company Services, Inc.	80	2,650	TVA
11/13/2008	Southern Company Services, Inc.	127	4,100	TVA
11/14/2008	Southern Company Services, Inc.	93	3,100	TVA
11/15/2008	Southern Company Services, Inc.	120	4,000	TVA
11/17/2008	Southern Company Services, Inc.	9	300	TVA
11/27/2008	Southern Company Services, Inc.	6	200	TVA
2/1/2009	Southern Company Services, Inc.	12	400	TVA
	<b>Southern Company Total</b>	<hr/> 938	30,575	
	<b>Grand Total</b>	<hr/> <hr/> 1,013	32,497	

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 22**

**Witness: Robert M. Conroy**

- Q-22. Describe each change that KU made during the period under review to its methodology for calculating inter-system sales line losses.
- A-22. There have been no changes. KU continues to use a line loss factor of one percent to determine the cost of fuel associated with line losses incurred to make an intersystem sale and recovered from such sale consistent with the Commission's August 30, 1999 Order in Case Nos. 94-461-A, 94-461-B, 94-461-C and 96-523 and the March 25, 2003 Order in Case No. 2002-00224.

**KENTUCKY UTILITIES COMPANY**

**Response to Information Requested in Appendix of  
Commission's Order Dated August 20, 2009**

**Case No. 2009-00287**

**Question No. 23**

**Witness: Mike Dotson**

Q-23. Provide the number of KU's coal purchase contracts which did and did not include transportation costs during the period November 1, 2008 through April 30, 2009.

a. Explain how it is determined whether or not transportation costs will be included in the coal purchase contract.

b. When transportation is contracted separately from the coal contract, does KU issue requests for proposals ("RFP") for this service?

(1) If yes, how often does this occur, how many vendors are included in the RFP, and how is it determined which vendors will receive the RFP?

(2) If no, explain why an RFP is not issued.

c. Does KU use or contract with any related parties for transportation of its coal purchases? If yes, provide the name of the related party and nature of the relationship, the period of time it has contracted with the party, and copies of any contracts with the related party, if not previously filed with the Commission.

A-23. Contracts that include transportation: (7)

Contracts purchased FOB railcar or FOB barge: (40)

a. Coal for E.W. Brown Station is purchased primarily FOB railcar, however, some agreements allow for coal to be purchased both FOB railcar and FOB coal stockpile delivered via truck.

Coal for Green River and Tyrone Stations is purchased FOB coal stockpile delivered via truck.

Ghent Station final delivery is via barge. Coal may be purchased either FOB barge or FOB railcar. KU contracts for transportation services for rail and barge. A more competitive transportation rate is obtained by grouping all of the transportation requirements into a single barge transportation contract and contracting separately with the applicable railroad serving the final destination point.

b. Yes. KU issues requests for proposals (“RFP”) for barge transportation services and negotiates individually with the particular railroad serving the Brown plant or river dock for Ghent coal (usually a sole right of service for the railroad).

(1) The transportation services RFP is issued prior to the expiration of the current transportation services agreement. The RFP for barge transportation services is sent to the major barge lines serving the Ohio River. The vendor selected is based upon the lowest evaluated barge freight rates to the Ghent power plants. An RFP for rail transportation services is not issued (See part 2 below).

(2) An RFP is not issued for rail transportation services due to the fact the railroad normally has a sole right of service to the Brown power plant or river dock and owns the trackage into the plant or dock. Nonetheless, rail transportation remains significantly lower in cost than truck transportation, the only alternative means of delivering coal to the Brown station.

c. No.

**RECEIVED**

SEP 10 2009

**PUBLIC SERVICE  
COMMISSION**

**COMMONWEALTH OF KENTUCKY**

**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

<b>AN EXAMINATION OF THE</b>	)	
<b>APPLICATION OF THE FUEL</b>	)	
<b>ADJUSTMENT CLAUSE OF</b>	)	<b>CASE NO. 2009-00287</b>
<b>KENTUCKY UTILITIES COMPANY</b>	)	
<b>FROM NOVEMBER 1, 2008</b>	)	
<b>THROUGH APRIL 30, 2009</b>	)	

**PETITION OF KENTUCKY UTILITIES COMPANY  
FOR CONFIDENTIAL PROTECTION**

Kentucky Utilities Company (“KU”), pursuant to 807 KAR 5:001, Section 7, respectfully petitions the Commission to classify as confidential and protect from public disclosure certain information provided by KU in response to Question Nos. 12(a) and 19 of the Commission’s data requests, as contained in Appendix A of the Commission’s Order dated August 20, 2009. KU requests confidential treatment (“Confidential Information”) for one report from Weir International, Inc. (“Weir Report”), which concerns KU’s coal suppliers’ costs of complying with the Mine Improvement and New Emergency Response Act of 2006 (“MINER Act”) (for Question No. 12(a)), and requests confidential protection for coal bid analysis information (for Question No. 19). In support of this Motion, KU notes that the Commission treated the same kind of information as confidential in KU’s last six-month fuel adjustment clause review proceeding. (See Letter from Executive Director Stephanie Stumbo re KU Petition for Confidential Protection, Case No. 2008-00285 (October 20, 2008), attached hereto as Attachment 1.)

In further support of this Motion, KU states as follows:

1. Under the Kentucky Open Records Act, the Commission is entitled to withhold from public disclosure information confidentially disclosed to it to the extent that open

disclosure would permit an unfair commercial advantage to competitors of the entity disclosing the information to the Commission. *See* KRS 61.878(1)(c). Public disclosure of the information identified herein would, in fact, prompt such a result for the reasons set forth below.

2. Disclosure of the Weir Report would damage KU's competitive position and business interests. The report analyzes the costs KU's coal suppliers incur to comply with the MINER Act, which in turn affects the coal price increases KU is willing to pay its coal suppliers for their claimed compliance costs. If the Commission grants public access to the information requested in Question No. 12(a), KU's current and potential coal suppliers could manipulate their bids to the detriment of KU and its ratepayers by tailoring bids to correspond to and comport with KU's MINER compliance cost evaluation criteria and process.

3. Disclosure of the factors underlying KU's bid analysis/selection process would damage KU's competitive position and business interests. This information reveals the business model the Company uses – the procedure it follows and the factors/inputs it considers – in evaluating bids for coal supply. If the Commission grants public access to the information requested in Question No. 19, potential bidders could manipulate the bid solicitation process to the detriment of KU and its ratepayers by tailoring bids to correspond to and comport with KU's bidding criteria and process. As noted above, the Commission has treated such information as confidential in the past. (*See* Attachment 1, Letter from Executive Director Stephanie Stumbo re KU Petition for Confidential Protection, Case No. 2008-00285 (October 20, 2008).)

4. The information for which KU is seeking confidential treatment is not known outside of KU, is not disseminated within KU except to those employees with a legitimate business need to know and act upon the information, and is generally recognized as confidential and proprietary information in the energy industry.



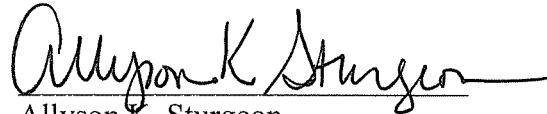
5. KU does not object to limited disclosure of the confidential information described herein, pursuant to an acceptable protective agreement, to intervenors with legitimate interests in reviewing the same for the purpose of participating in this case.

6. In accordance with the provisions of 807 KAR 5:001, Section 7, KU is filing with the Commission one copy of the Confidential Information highlighted and ten (10) copies without the Confidential Information.

**WHEREFORE**, Kentucky Utilities Company respectfully requests that the Commission grant confidential protection to the information designated as confidential for a period of five years from the date of filing the same.

Dated: September 8<sup>th</sup>, 2009

Respectfully submitted,



Allyson K. Sturgeon  
Senior Corporate Counsel  
E.ON U.S. LLC  
220 West Main Street  
Louisville, Kentucky 40202  
Telephone: (502) 627-2088

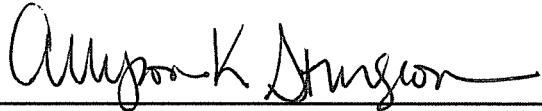
Counsel for Kentucky Utilities Company

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing Petition for Confidential Protection was served via U.S. mail, first-class, postage prepaid, this 8<sup>th</sup> day of September 2009, upon the following persons:

Dennis G. Howard II  
Assistant Attorney General  
Office of the Kentucky Attorney General  
Office of Rate Intervention  
1024 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601-8204

Michael L. Kurtz  
Boehm, Kurtz & Lowry  
36 East Seventh Street  
Suite 1510  
Cincinnati, Ohio 45202



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Counsel for Kentucky Utilities Company

# **ATTACHMENT 1**



Steven L. Beshear  
Governor

Leonard K. Peters  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

David L. Armstrong  
Chairman

James Gardner  
Vice-Chairman

John W. Clay  
Commissioner

October 20, 2008

Stoll Keenon Ogden, PLLC  
Attention: W. Duncan Crosby III  
2000 PNC Plaza  
500 West Jefferson Street  
Louisville, Kentucky 40202-2828

E.ON U.S. LLC  
Attention: Allyson K. Sturgeon  
220 West Main Street  
Louisville, Kentucky 40202

Re: Kentucky Utilities - Petition for Confidentiality received 9/12/08  
PSC Reference -- Case No. 2008-00285

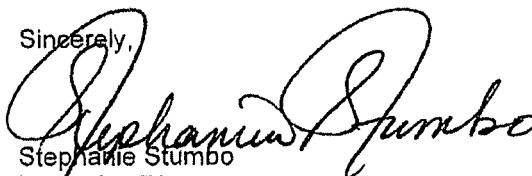
Dear Sir/Madam:

The Public Service Commission has received Kentucky Utilities' Petition for confidential treatment requesting to protect as confidential certain information contained in its response to questions 10(a) and 17 set out in Appendix A of the Commission's Order dated August 22, 2008. The information is described as 2 Weir Reports which concern coal suppliers' costs in complying with the "Miner Act" and coal bid analysis information.

Based upon a review of the information, I have determined that it is entitled to the protection requested on the grounds relied upon in the Petition and should be withheld from public inspection.

If the information becomes publicly available or no longer warrants confidential treatment, Kentucky Utilities is required by 807 KAR 5:001, Section 7(9)(a), to inform the Commission so that the information may be placed in the public record.

Sincerely,

  
Stephanie Stumbo  
Executive Director

kg/

cc: Parties of Record

KentuckyUnbridledSpirit.com



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