

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BIG RIVERS ELECTRIC)	
CORPORATION FOR TERMINATION OF)	
CONTRACTS AND A DECLARATORY ORDER AND)	CASE NO.
FOR AUTHORITY TO ESTABLISH A)	2018-00146
REGULATORY ASSET)	

ORDER

This matter arises upon the motion of Big Rivers Electric Corporation (BREC) requesting an order to amend the current procedural schedule in this matter. BREC states that the current procedural schedule, as amended by the Commission's Order of June 13, 2018, allows for the filing of intervenor testimony but does not grant BREC an opportunity to file rebuttal testimony. In order to afford it due process, BREC asserts that it should be given an opportunity to respond to any allegations or arguments made by any intervenor in their testimonies or responses to information requests.

On July 2, 2018, Kentucky Industrial Utility Customers, Inc. (KIUC) filed a response to BREC's motion, stating that it does not object to BREC request given that BREC has the burden of proof in this matter. KIUC, however, requests that it be given an opportunity to issue one round of data requests after BREC's rebuttal testimony has been filed and before any hearing in this matter.

Having reviewed the pleadings and being otherwise sufficiently advised, the Commission finds that BREC has established good cause to permit an amendment of the current procedural schedule to allow it an opportunity to file rebuttal testimony. We also

find that KIUC's request for one round of discovery on BREC's rebuttal testimony is reasonable and should, therefore, be granted.

IT IS HEREBY ORDERED that:

1. BREC's motion to amend the procedural schedule is granted.
2. The current procedural schedule as established by the June 13, 2018 Order

is amended to the limited extent as follows:

- a. BREC shall file rebuttal testimony no later than August 31, 2018.
 - b. Requests for information on BREC's rebuttal testimony shall be filed no later than September 10, 2018.
 - c. BREC's responses to requests for information on its rebuttal testimony shall be filed no later than September 17, 2018.
 - d. BREC or any Intervenor shall request either a hearing or that the case be submitted for decision based on the record no later than September 21, 2018.
3. All other provisions of the June 13, 2018 Order shall remain in full force and effect.

By the Commission

ENTERED
JUL 10 2018
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2018-00146

*Jody Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Thomas J Costakis
Krieg DeVault LLP
One Indiana Square
Suite 2800
Indianapolis, INDIANA 46204

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

*Norman T Funk
Krieg DeVault LLP
One Indiana Square
Suite 2800
Indianapolis, INDIANA 46204

*Honorable Kurt J Boehm
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Tyson Kamuf
Corporate Attorney
Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420

*Kent Chandler
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Honorable Michael L Kurtz
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Rebecca W Goodman
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420