

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN EXAMINATION BY THE PUBLIC SERVICE)
COMMISSION OF THE APPLICATION OF THE)
FUEL ADJUSTMENT CLAUSE OF LOUISVILLE) CASE NO. 8591
GAS AND ELECTRIC COMPANY FROM)
NOVEMBER 1, 1980, TO OCTOBER 31, 1982)

O R D E R

On September 15, 1983, Airco filed a motion requesting the Commission to suspend its Order entered June 13, 1983, authorizing the Louisville Gas and Electric Company ("LG&E") to collect fuel adjustment charges. Airco further moved the Commission to initiate an investigation to determine whether LG&E's fuel adjustment clause is in compliance with the Commission's regulation, whether it is discriminatory against Airco and other classes of customers and whether LG&E has over-recovered its fuel costs.

On September 20, 1983, LG&E filed a response alleging that since Airco's motion was filed 3 months after the Commission's Order which it "is attempting to take issue with," it is untimely.

Based upon the motion and the response and being advised, the Commission is of the opinion and hereby finds that:

1. Airco has not presented any evidence to support its request that the Commission suspend its Order entered June 13, 1983.

2. Airco's motion cannot be considered as an application for a rehearing pursuant to KRS 278.400 because it was not filed within 20 days of the Commission's Order entered June 13, 1983.

3. Airco has alleged that LG&E's fuel adjustment clause is discriminatory and results in over-recovery of fuel costs but there is no evidence in the record to support such allegations.

4. Airco's motion requesting an investigation of LG&E's fuel adjustment clause should be considered an informal complaint against LG&E pursuant to 807 KAR 5:001, Section 12.

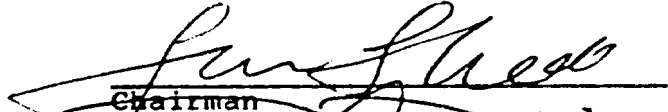
IT IS THEREFORE ORDERED that Airco's motion requesting the Commission to suspend its Order entered June 13, 1983, be and it hereby is denied.

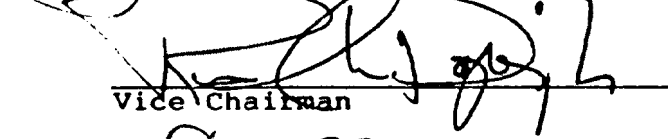
IT IS FURTHER ORDERED that Airco's motion requesting the Commission to initiate an investigation of LG&E's fuel adjustment clause be and it hereby is considered an informal complaint.


IT IS FURTHER ORDERED that within 30 days of the date of this Order Airco shall file evidence in support of its allegations that LG&E's fuel adjustment clause is discriminatory, not in compliance with Commission regulation and allows over-recovery of fuel costs.

Done at Frankfort, Kentucky, this 7th day of October,
1983.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary