

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of

GENERAL ADJUSTMENTS IN ELECTRIC) CASE NO.
RATES OF KENTUCKY POWER COMPANY) 8734

O R D E R

On May 17, 1983 Kentucky Power Company, ("Kentucky Power"), by counsel, filed its Motion requesting an extension of time (until and including May 26, 1983) to respond to requests for information submitted by the Attorney General's Consumer Protection Division. In support of its Motion Kentucky Power states that it received requests for information from the Commission on May 5, 1983 and from the collective intervenors on May 4, 1983, that the requests of the Attorney General were not received until May 9, 1983 and, although they were forwarded immediately to the Company, there is not sufficient time in which to respond to all of he requests by May 19, 1983. Kentucky Power further states that, in an effort to avoid delay, it will furnish responses to the Attorney General prior to May 26, 1983 as they are completed.

On May 16, 1983 the Attorney General, by and through his Consumer Protection Division, filed its Response to the Motion, stating, among other things, that the assertion in the Motion that the Requests for Information were not received until May 9, 1983 is incorrect as they were hand delivered to counsel for Kentucky

Power on May 5, 1983 and were therefore available for delivery to Kentucky Power. The Response further states that to allow a deviation of this magnitude from the schedule will cause intervenors difficulties in complying with dates established for delivering supplemental responses to Kentucky Power (June 2, 1983) and in filing testimony (June 16, 1983). With respect to the furnishing of Responses as they are completed the Attorney General states that this is unacceptable as the Attorney General would have no control over which or how many responses would be submitted early. In the alternative, the Attorney General requests that, should the requested extension be granted, that he be granted a comparable extension of time to file its supplemental requests and testimony.

The Commission is concerned that Kentucky Power's motion contains a certification that service by mail was made on the intervenors on May 12, 1983, but the motion was hand delivered and filed with the Commission on May 17, 1983, after the Secretary's office made an inquiry about it. On May 18, 1983, the Commission received a copy of the motion by mail post marked May 17, 1983, with a cover letter dated May 12, 1983.

The Commission notes that the Attorney General has alleged that its information requests were hand delivered to Kentucky Power's counsel of record on May 5, 1983, but Kentucky Power alleges they were received on May 9, 1983. This discrepancy also causes the Commission concern.

The Commission, having considered the Motion, Response and being advised, HEREBY ORDERS that the Motion be and it hereby is sustained to the extent that Kentucky Power's response to the Attorney General's information requests shall be delivered to the Commission and all parties of record when completed but no later than the close of business May 23, 1983.

Done at Frankfort, Kentucky, this 19th day of May, 1983.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary