

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

O R D E R

On June 23, 1983, the Attorney General's Office ("AG") filed a statement of position and two motions regarding the ratemaking treatment of Kentucky Power Company's ("KPC") interest in the Rockport generating station. On July 6, 1983, KPC filed a response in opposition to the two motions.

The AG's first motion is that the entire record in Case No. 8271, In the Matter of the Application of Kentucky Power Company For A Certificate Of Public Convenience And Necessity, be made a part of this case by reference only. KPC objects to this motion on the basis that the issues adjudicated in Case No. 8271 should not be open to reargument and collateral attack in this proceeding. The Commission is of the opinion that the record in Case No. 8271 should be made a part of this case by reference only to the extent that Case No. 8271 is relevant to an issue of this rate case.

The AG's second motion is that any rate increase associated with Rockport construction work in progress ("CWIP") be placed into effect subject to refund pending a final judicial determina-

tion of Case No. 8271. KPC opposes the motion as being premature since the rates are not expected to be implemented until September 20, 1983. The Commission is of the opinion that no prejudice will result by deferring a ruling on this motion until the final order in this case. This will afford the parties an opportunity to present evidence and oral argument on this issue at the hearing scheduled on August 2, 1983.

IT IS THEREFORE ORDERED that the AG's motion that the record in Case No. 8271 be made a part of this case by reference only be and it hereby is granted to the extent that Case No. 8271 is relevant to an issue in this case.


IT IS FURTHER ORDERED that a ruling on the AG's motion that any rate increase associated with Rockport CWIP be placed into effect subject to refund be and it hereby is deferred until after the August 2, 1983, hearing.

Done at Frankfort, Kentucky, this 21st day of July, 1983.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary