

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

GENERAL ADJUSTMENT IN ELECTRIC)
AND GAS RATES OF LOUISVILLE GAS) CASE NO. 8924
AND ELECTRIC COMPANY)

O R D E R

On January 23, 1984, the Office of Kentucky Legal Services filed a motion to intervene on behalf of Sharon Kersnick, a low income residential customer of the Louisville Gas and Electric Company ("LG&E"). On January 24, 1984, LG&E filed an objection to the intervention alleging that the motion is untimely.

LG&E's objection refers to the Commission's Order of Procedure, entered November 29, 1983, which provided that motions to intervene may be filed within 30 days of receipt of notice of the proposed rate change. Pursuant to the Order of Procedure, LG&E gave notice by newspaper publication on November 30, 1983, December 7, 1983, and December 14, 1983. LG&E alleges that all motions to intervene should have been filed within 30 days of November 30, 1983, the first date of publication.

On January 25, 1984, Sharon Kersnick filed a response to LG&E's objection to intervention. The response alleges that no existing party represents the interests of residential customers

and that no party will be prejudiced since the hearing is not scheduled until March 20, 1983.

The Commission has heretofore followed a policy of granting untimely motions to intervene upon a showing of good cause and the absence of prejudice to existing parties. This liberal policy was adopted to insure that all divergent interests are represented by counsel of their choice. The short time period within which the Commission must adjudicate a rate proceeding, combined with increasingly complex discovery, creates a situation where untimely intervention is disruptive to the orderly administration of a rate proceeding. The Commission admonishes Movant's counsel that such untimely motions will not be viewed with favor in the future.

Based on the motion to intervene, the objection to intervention and the response thereto, and the evidence of record, the Commission is of the opinion and hereby finds that:

1. Sharon Kersnick's motion to intervene was not filed within the 30-day period provided for by the Commission's Order of Procedure.


2. Sharon Kersnick represents residential customers and the intervention will not prejudice any other party.

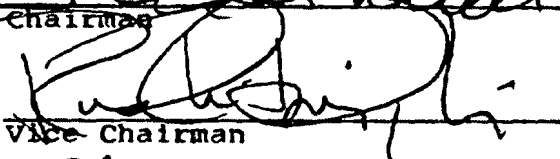
3. Granting the motion to intervene of Sharon Kersnick will not provide any basis to modify or defer any pre-existing procedural schedule.


IT IS THEREFORE ORDERED that Sharon Kersnick's motion to intervene be and it hereby is granted and LG&E's objection thereto be and it hereby is overruled.

Done at Frankfort, Kentucky, this 3rd day of February, 1984.

PUBLIC SERVICE COMMISSION


Chairman


Vice-Chairman


Commissioner

ATTEST:

Secretary