

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BIG RIVERS ELECTRIC CORPORATION'S)
NOTICE OF CHANGES IN RATES AND)
TARIFFS FOR WHOLESALE ELECTRIC SERVICE) CASE NO. 9613
AND OF A FINANCIAL WORKOUT PLAN)

O R D E R

On September 23, 1986, the Attorney General's Office, an intervenor, filed a motion requesting the Commission to amend the established procedural schedule for this case to provide for a pre-hearing conference on December 9, 1986, and to postpone the public hearing until December 16, 1986. The Attorney General further requests that prior to the pre-hearing conference the Commission provide to all parties a list of issues to be determined in this docket. The Attorney General supports its request by stating that a pre-hearing conference will afford an opportunity for the resolution of procedural issues and lead to a more expeditious hearing. The Attorney General also claims that a postponement of the hearing from December 2, 1986, to December 16, 1986, will still afford the Commission ample time to review the record prior to the end of the suspension period on February 6, 1987.

On September 25, 1986, National-Southwire Aluminum Company ("NSA") and Alcan Aluminum Corporation filed responses in support of the Attorney General's motion to amend the procedural schedule.

On September 29, 1986, Big Rivers Electric Corporation ("Big Rivers") filed a response in opposition to the Attorney General's motion. Big Rivers states that a pre-hearing conference is not necessary because the substantive issues are those set forth in NSA's complaint and Big Rivers' rate application and the procedural issues can be summarily ruled upon by the Commission. Big Rivers further states that any postponement of the hearing would infringe upon the time available to the Commission for reviewing the briefs and evidence of record and issuing a decision.

Based on the motions and responses thereto, and being advised the Commission is of the opinion and hereby finds that the Attorney General has shown good cause to grant that portion of its Motion requesting a pre-hearing conference. However, the Commission finds that a postponement of the hearing scheduled for December 2, 1986, would infringe upon the time needed by the Commission to fully and adequately review and adjudicate the issues in this proceeding. Therefore, a pre-hearing conference will be scheduled on November 24, 1986. Any party that desires to present an issue, either procedural or substantive, for consideration at the pre-hearing conference should advise the Commission in writing of the issue no later than November 17, 1986. At the pre-hearing conference the Commission will distribute a list of the issues to be adjudicated in this docket.

IT IS THEREFORE ORDERED that:

1. A pre-hearing conference be and it hereby is scheduled for 1:30 p.m. Eastern Standard Time, on November 24, 1986, in Hearing Room #2 of the Public Service Commission in Frankfort, Kentucky.

2. All motions to postpone the hearing scheduled on December 2, 1986, be and they hereby are denied.

Done at Frankfort, Kentucky, this 31st day of October, 1986.

PUBLIC SERVICE COMMISSION

Richard D. Heman, Jr.
Chairman

Richard D. Heman, Jr.
Vice Chairman

Spencer N. Williams, I
Commissioner

ATTEST:

Executive Director