

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 October 30, 1986, Big Rivers Electric Corporation ("Big Rivers") filed a motion to strike the rebuttal testimony of Howard W. Pifer III, submitted by National-Southwire Aluminum Company ("NSA") on October 23, 1986. Big Rivers states that since the rebuttal testimony relates to issues in NSA's complaint Case No. 9437, consolidated with this rate case, the procedural schedule for the complaint case required rebuttal testimony to be filed by August 13, 1986. Due to NSA's failure to receive an extension of time for filing this testimony, Big Rivers requests that it be stricken.

On November 3, 1986, NSA filed a response in opposition to striking its rebuttal testimony. NSA claims that the procedural schedule in the complaint case established August 13, 1986, as the deadline for rebuttal testimony and August 14, 1986, as the date for hearing. However, on August 7, 1986, Big Rivers filed a motion to consolidate the complaint case with this rate case and to establish an expedited procedural schedule for the consolidated proceeding. The Commission then cancelled the August 14, 1986,

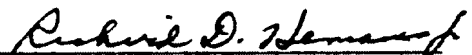
hearing and consolidated the two proceedings. NSA argues that the procedural schedule subsequently established by the Commission required NSA to file its testimony by October 23, 1986, and that NSA has complied with that schedule.


Based on Big Rivers' motion, NSA's response and being advised, the Commission finds that NSA's rebuttal testimony was timely filed pursuant to the procedural schedule established in this consolidated proceeding and that the motion to strike should be denied.

IT IS THEREFORE ORDERED that Big Rivers' motion to strike rebuttal testimony be and it hereby is denied.

Done at Frankfort, Kentucky, this 14th day of November, 1986.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director