

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 November 19, 1986, Big Rivers Electric Corporation ("Big Rivers") filed a Motion requesting the Commission to issue a protective Order denying the request of National-Southwire Aluminum Company ("NSA") to retake the depositions of W.H. Thorpe and Paul A. Schmitz. Big Rivers bases its motion on the grounds that it has fully complied with the Commission's October 29, 1986, Order compelling discovery and is presently in the process of conducting its own discovery in preparation for the evidentiary hearing scheduled on December 2, 1986. Big Rivers further states that NSA has already deposed both of these individuals on 2 separate occasions and that they will be available for cross-examination at the evidentiary hearing.

On November 21, 1986, NSA filed a response to Big Rivers' motion for a protective order. NSA states that although Big Rivers has responded to the specific information requests which were subject to the Commission's Order to compel, Big Rivers is obligated to provide responses to additional questions on these issues.

Based on the motion and the response thereto, the Commission is of the opinion and hereby finds that Big Rivers has shown good cause for the Commission to issue a protective order. NSA and all other parties will have a full and complete opportunity to cross-examine Messrs. Thorpe and Schmitz at the evidentiary hearing scheduled on December 2, 1986.

IT IS THEREFORE ORDERED that Big Rivers' motion for a protective order be and it hereby is granted.

Done at Frankfort, Kentucky, this 25th day of November, 1986.

PUBLIC SERVICE COMMISSION

Rubin D. Johnson
Chairman

Bob Dugay
Vice Chairman

Susan M. Williams
Commissioner

ATTEST:

Executive Director