

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO THE FUEL)
PROCUREMENT PRACTICES OF KENTUCKY) CASE NO. 9631
UTILITIES COMPANY)

O R D E R

On September 26, 1988, the Attorney General's Office, Utility and Rate Intervention Division ("AG"), filed a motion requesting a suspension of the procedural schedule established by the Commission's Order entered September 22, 1988. In particular, the AG requests suspension of the October 10, 1988 due date for filing of discovery requests to the Commission's consultant. The AG argues that due to the pending motion of Kentucky Utilities Company ("KU") to limit the issues in this proceeding, the AG should not be expected to conduct discovery until the Commission has ruled on KU's motion.

On September 29, 1988, KU filed a response in opposition to the AG's motion. KU notes that its motion to limit the issues has been set for argument on October 10, 1988 and a ruling by the Commission is anticipated shortly thereafter. Should KU's motion be granted in full, the only discovery step that will have transpired is the submission of discovery requests to the consultant. KU argues that the overriding concern is to avoid any unnecessary delay in this investigation.

Based on the AG's motion, KU's response, and being advised, the Commission is of the opinion and hereby finds that the procedural schedule should not be suspended pending a ruling on KU's motion to limit the issues. In establishing the procedure schedule, the Commission's Order expressly noted that the ruling on KU's motion could result in a subsequent modification of the schedule.

IT IS THEREFORE ORDERED that the AG's motion to suspend the procedural schedule be and it hereby is denied.

Done at Frankfort, Kentucky this 3rd day of October, 1988.

PUBLIC SERVICE COMMISSION


For The Commission

ATTEST:

Executive Director