

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY ALLIANCE FOR FAIR COMPETITION,)
INC., ET AL.)

PETITIONERS)

VS.)

LOUISVILLE GAS & ELECTRIC COMPANY)

RESPONDENT)

CASE NO. 91-243

O R D E R

By Order dated July 29, 1991, the Commission directed the Louisville Gas and Electric Company ("LG&E") to satisfy or answer Count II of the Kentucky Alliance for Fair Competition, Inc., et al.'s ("Kentucky Alliance") complaint which alleges that the advertising costs of LG&E's outdoor lighting program are included as a rate-making expense in violation of 807 KAR 5:016. In its answer, LG&E states that the total costs for advertising its outdoor lighting program were recorded in Account No. 913 and the costs recorded in that account were excluded from its cost of service. LG&E concludes its answer by requesting that the complaint be dismissed for lack of merit.

On August 30, 1991, Kentucky Alliance filed a motion requesting to amend its complaint by deleting four of the originally named complainants and adding one new complainant.

Based on the pleadings and being advised, the Commission finds that the Kentucky Alliance should have 15 days to respond to

the request that its complaint be dismissed. The response should include, at a minimum, a discussion of the evidence that will be offered to support Count II of the complaint. The Commission further finds that the motion to amend the complaint should be granted.


IT IS THEREFORE ORDERED that:


1. The Kentucky Alliance shall within 15 days of the date of this Order file a response to LG&E's request to dismiss the complaint.

2. The motion to amend the complaint to revise the individually named complainants be and it hereby is granted.

Done at Frankfort, Kentucky, this 26th day of September, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

Commissioner

ATTEST:


Executive Director