

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION INTO THE FEASIBILITY OF) ADMINISTRATIVE
IMPLEMENTING DEMAND-SIDE MANAGEMENT COST) CASE NO. 341
RECOVERY AND INCENTIVE MECHANISMS)

O R D E R

The Office of Attorney General, Jefferson County, Metro Human Needs Alliance, People Organized and Working for Energy Reform, Citizens Organized to End Poverty in the Commonwealth, Anna Shed, Marvar Cowart, Kentucky Industrial Utility Consumers, Louisville Resource Conservation Council and Louisville Gas and Electric Company ("LG&E") (collectively "Joint Movants") have moved for an additional 60 days in which to respond to the Commission's Order of January 7, 1993. In support of their motion, Joint Movants state that they are negotiating a comprehensive demand-side management program for LG&E and its customers and assert that responding to the Order may undermine these negotiations.

While the Commission appreciates and encourages the Joint Movants' efforts to achieve a consensus on demand-side management issues, we find the requested 60-day extension should be denied. As we have previously noted,¹ the need for regulatory guidance on this subject is urgent. The requested extension, though only for a few parties, will delay the Commission's investigation. As the scope of this investigation is state-wide and not focused on any

¹ Order of July 24, 1992, at 3.

particular utility or region, the Commission is reluctant to delay this investigation because of negotiations involving only one utility. Responding to our Order of January 7, 1993, furthermore, does not prohibit continued negotiations by the parties.

The primary purpose of this investigation is to gather information. To establish any regulatory guidance, the Commission must be fully informed. While negotiated settlements concerning demand-side management issues are useful, the Commission must have adequate information to assess and review such settlements. Our Order of January 7, 1993 is intended to achieve that objective.

Notwithstanding these considerations, the Commission will permit all parties an additional 30 days in which to submit their responses. Further requests for extensions based upon the ongoing negotiations, however, will not be granted.

IT IS THEREFORE ORDERED that:

1. Joint Movants' motion is denied in part and granted in part.
2. All parties shall have until March 10, 1993 in which to respond to the Commission's Order of January 7, 1993.

Done at Frankfort, Kentucky, this 3rd day of February, 1993.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director