

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN EXAMINATION BY THE PUBLIC SERVICE)
COMMISSION OF THE APPLICATION OF THE FUEL) CASE NO.
ADJUSTMENT CLAUSE OF BIG RIVERS ELECTRIC) 90-360-C
CORPORATION FROM NOVEMBER 1, 1991 TO)
APRIL 30, 1992)

O R D E R

Big Rivers Electric Corporation ("Big Rivers") has moved for extension of time to submit rebuttal testimony and for an extension of the procedural schedule. Big Rivers has further moved to strike the prepared testimony submitted on behalf of Kentucky Industrial Utility Customers ("KIUC") and the Attorney General ("AG"). Having considered the motions and the response thereto, we deny the motion for the extension and grant, in part, the motion to strike.

From the outset the Commission has consistently held that these proceedings are necessarily confined to the operation of Big Rivers' fuel adjustment clause ("FAC") from November 1, 1990 to April 30, 1993.¹ Accordingly, those portions of KIUC/AG prepared testimony addressing the disallowance of fuel expenses for prior periods should be stricken.

But, Big Rivers' actions prior to November 1, 1990 are not necessarily irrelevant to these proceedings. To the extent such actions may have affected the fuel expenses which were charged to

¹ Questions of HOW, WHY, WHEN, et al., concerning Commission review of Big Rivers' fuel expenses for periods prior to November 1, 1990 will, no doubt, be addressed at a later time.

Big Rivers' customers through its FAC during the period under review, Commission Regulation 807 KAR 5:056 requires this Commission to consider them. Those portions of KIUC/AG prepared testimony which discuss the manner by which Big Rivers' prior actions impacted the fuel expenses for the period under review should not be stricken.

As to its motion for extension, the Commission finds that Big Rivers has been given adequate notice of the issues posed by this proceeding and adequate time to prepare. No extension is warranted. This proceeding should go forward as scheduled.

IT IS THEREFORE ORDERED that:

1. Big Rivers' motion for extension of time is denied.
2. Big Rivers' motion to strike the testimony of KIUC is granted in part and denied in part.
3. KIUC shall, no later than October 8, 1993, file testimony which conforms with the provisions of this Order.

Done at Frankfort, Kentucky, this 1st day of October, 1993.

PUBLIC SERVICE COMMISSION


FOR the Commission

ATTEST:


Executive Director