

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION OF BIG RIVERS)
CORPORATION'S WHOLESALE POWER CONTRACT) CASE NO.
WITH HOOSIER ENERGY RURAL ELECTRIC) 93-163
COOPERATIVE, INC.)

O R D E R

On October 1, 1993, the Attorney General's office, Utility and Rate Intervention Division ("AG"), filed a motion requesting the Commission to require Big Rivers Electric Corporation ("Big Rivers") to produce a copy of an offer by Big Rivers to sell approximately 200 MW of the electric capacity to East Kentucky Power Cooperative, Inc. ("East Kentucky"). As grounds for the motion, the AG states that the terms of the offer to East Kentucky are relevant to a determination of whether the proposed sale to Hoosier Energy Rural Electric Cooperative, Inc. ("Hoosier Energy") will have a negative impact on Big Rivers' ability to sell long-term base load capacity. The AG recognizes the proprietary nature of this information and indicates his willingness to keep the information confidential.

Big Rivers filed a response in opposition to the AG's motion, claiming that the offer to East Kentucky is irrelevant to whether the pending sale to Hoosier Energy is reasonable. Big Rivers also cites the AG's testimony which states that the proposed short-term sale to Hoosier Energy will not interfere with a possible future sale to East Kentucky.

Based on the motion and the response, and being advised, the Commission hereby finds that the motion should be denied. The proposed sale of capacity to Hoosier Energy will be from 1993 through 1999, whereas East Kentucky's projected need for additional capacity commences in 2000.

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

Done at Frankfort, Kentucky, this 18th day of October, 1993.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director