

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 ADJUSTMENT CLAUSE OF BIG RIVERS) CASE NO. 94-458-B
ELECTRIC CORPORATION FROM MAY 1, 1995)
TO OCTOBER 31, 1995)

O R D E R

Pursuant to Commission Regulation 807 KAR 5:056, Section 1(11), IT IS HEREBY ORDERED that:

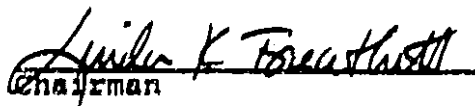
1. Big Rivers shall, on or before January 12, 1996, file with the Commission an original and 6 copies of the information requested in Appendix A, attached hereto and incorporated herein. Each copy shall be placed in a bound volume with each item tabbed. When a number of sheets are required for an item, each sheet should be appropriately indexed; for example, Item 1(a), Sheet 2 of 6. Big Rivers shall furnish with each response the name of the witness who will be available at the public hearing to respond to questions concerning each area of information requested. Careful attention shall be given to copied material to ensure its legibility.

2. The records of Case Nos. 90-360-C,¹ 94-458,² and 94-458-A,³ Big Rivers' monthly FAC reports and related back-up reports for the six-month review period, and the price revision worksheets for Contract 527 dated January 1, 1993 and later are incorporated by reference into the record of this case.

3. The procedural schedule set forth in Appendix B to this Order shall be followed.

Done at Frankfort, Kentucky, this 20th day of December, 1995.

PUBLIC SERVICE COMMISSION


Chairman

Vice Chairman


Commissioner

ATTEST:


Executive Director

¹ Case No. 90-360-C, An Examination by the Public Service Commission of the Application of the Fuel Adjustment Clause of Big Rivers Electric Corporation from November 1, 1991 to April 30, 1992.

² Case No. 94-458, An Examination by the Public Service Commission of the Application of the Fuel Adjustment Clause of Big Rivers Electric Corporation from November 1, 1992 to October 31, 1994.

³ Case No. 94-458-A, An Examination by the Public Service Commission of the Application of the Fuel Adjustment Clause of Big Rivers Electric Corporation from November 1, 1994 to April 30, 1995.

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 94-458-B DATED DECEMBER 20, 1995.

1. List each written coal supply solicitation issued during the period from May 1, 1995 to October 31, 1995.

a. For each, provide the date of the solicitation, the type of solicitation (contract or spot), the quantities solicited, a general description of the quality of coal solicited, the time period over which deliveries were requested, and the generating unit(s) for which the coal was intended.

b. For each, state the number of vendors to which the solicitation was sent, the number of vendors which responded, and the selected vendor. Provide the bid tabulation sheet or corresponding document which ranked the proposals. (This document should identify all vendors which made offers.) Briefly discuss the reasons for each selection.

2. List each oral coal supply solicitation issued during the period from May 1, 1995 to October 31, 1995.

a. For each, provide a brief explanation of why the solicitation was not written, the date(s) of the solicitation, the quantities solicited, a general description of the quality of coal solicited, the time period over which deliveries were requested, and the generating unit(s) for which the coal was intended.

b. For each, identify all vendors solicited and the vendor selected. Provide the tabulation sheet or other document which ranked the proposals. (This document should identify all

vendors who made offers.) Briefly discuss the reasons for each selection.

3. For the period from May 1, 1995 to October 31, 1995:

a. List each vendor from which coal was purchased and the quantities and the nature of each purchase (e.g., spot or contract).

b. State the number of solicitations issued to each vendor listed in part (a), identified as contract or spot solicitations, and the number of proposals made by each vendor in response to the solicitations.

4. For each generating station or unit for which a separate coal pile is maintained:

a. State, for the period from May 1, 1995 to October 31, 1995, the actual amount of coal burned in tons, actual amount of coal deliveries in tons, total KWH generated, and actual capacity factor at which the plant operated.

b. State the amount of contract deliveries in tons, estimated KWH generation if amount of coal burned was equal to contract deliveries, and estimated capacity factor at this estimated generation level.

5. List all firm power commitments for Big Rivers from May 1, 1995 through October 31, 1995 for (a) purchases and (b) sales. This list shall identify the electric utility, the amount of commitment in MW and the purpose of the commitment (e.g., peaking, emergency).

6. Provide a monthly billing summary for sales to all electric utilities for the period May 1, 1995 through October 31, 1995.

7. List Big Rivers' scheduled, actual, and forced outages between May 1, 1995 and October 31, 1995.

8. List all existing fuel contracts categorized as long-term (i.e., more than 1 year in length). Provide the following information for each contract:

- a. Supplier's name and address;
- b. Name and location of production facility;
- c. Date when contract executed;
- d. Duration of contract;
- e. Date(s) of each contract revision, modification or amendment;
- f. Annual tonnage requirements;
- g. Actual annual tonnage received since the contract's inception;
- h. Percent of annual requirements received during contract's term;
- i. Base price;
- j. Total amount of price escalations to date;
- k. Current price paid for coal under the contract (i + j).

9. a. Does Big Rivers regularly compare the price of its coal purchases with those paid by other electric utilities?

b. If yes, state:

(1) how Big Rivers' prices compare with those of other utilities.

(2) the utilities which are included in this comparison and their location.

10. What percentage of Big Rivers' coal, as of the date of this Order, is delivered by:

- a. barge?
- b. rail?
- c. truck?

11. a. State Big Rivers' coal inventory level in tons and in number of day's supply as of October 31, 1995.

b. Describe the criteria used to determine number of days supply.

c. Compare Big Rivers' coal inventory as of October 31, 1995 to its inventory target for that date.

d. If actual coal inventory exceeds inventory target by 10 days' supply, state the reasons for excessive inventory.

e. (1) Does Big Rivers expect any significant changes in its current coal inventory target within the next 12 months?

(2) If yes, state the expected change and the reasons for this change.

12. a. Has Big Rivers audited any of its coal contracts during the period from May 1, 1995 to October 31, 1995?

b. If yes, for each audited contract:

(1) Identify the contract.

(2) Identify the auditor.

(3) State the results of the audit.

(4) Describe the actions which Big Rivers took as a result of the audit.

13. a. Has Big Rivers received any customer complaints regarding its fuel adjustment clause during the period from May 1, 1995 to October 31, 1995?

b. If yes, for each complaint, state:

(1) The nature of the complaint.

(2) Big Rivers' response.

14. a. Is Big Rivers currently involved in any litigation with its current or former coal suppliers?

b. If yes, for each litigation:

(1) Identify the coal supplier.

(2) Identify the coal contract involved.

(3) State the potential liability or recovery to Big Rivers.

(4) List the issues presented.

(5) Provide a copy of the complaint or other legal pleading which initiated the litigation, if not previously filed with the Commission.

c. State the current status of all litigation with coal suppliers.

15. a. During the period from May 1, 1995 to October 31, 1995, have there been any changes to Big Rivers' written policies and procedures regarding its fuel procurement?

b. If yes,

(1) What were these changes?

(2) Provide these written policies and procedures as changed.

(3) When were these changes made?

(4) Why were they made?

16. a. Is Big Rivers aware of any violations of its policies and procedures regarding fuel procurement which occurred prior to or during the period from May 1, 1995 to October 31, 1995?

b. If yes, for each violation:

(1) Describe the violation.

(2) Describe action which Big Rivers took upon discovering the violation.

(3) Identify the person(s) who committed the violation.

17. Identify all changes in the organizational structure and personnel of the departments or divisions which are responsible for Big Rivers' fuel procurement activities which occurred during the period from May 1, 1995 to October 31, 1995.

18. a. Identify all changes which Big Rivers has made during the period under review to its maintenance and operation practices and which affect fuel usage at Big Rivers' generation facilities.

b. Describe the impact of these changes on Big Rivers' fuel usage.

19. What actions, if any, has Big Rivers taken during the period under review to implement the recommendations of Overland Consulting's Focused Management Audit?

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 94-458-B DATED DECEMBER 20, 1995.

Big Rivers' response to Public Service Commission
data request 01/12/96

Intervenors' testimony shall be filed in verified
prepared form no later than 01/26/96

All requests for information to Intervenors shall
be served on Intervenors no later than 02/09/96

Intervenors shall mail or deliver responses to
the requests for information no later than 02/23/96

Big Rivers' testimony shall be filed in verified
prepared form no later than 03/08/96

All requests for information to Big Rivers shall
be served on Big Rivers no later than 03/21/96

Big Rivers shall mail or deliver responses to
requests for information no later than 03/28/96

Last day for Big Rivers to public notice of
hearing date 03/28/96

Public Hearing is to begin at 10:00 a.m., Eastern
Standard Time, in Hearing Room 1 of the Commission's
offices at 730 Schenkel Lane, Frankfort, Kentucky,
for the purpose of cross-examination of Big Rivers'
and Intervenors' witnesses 04/04/96