

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 KENTUCKY) CASE NO. 96-523
UTILITIES COMPANY FROM NOVEMBER 1,)
1994 TO OCTOBER 31, 1996)

O R D E R

Kentucky Industrial Utility Customers, Inc. ("KIUC") has moved for an Order to compel Kentucky Utilities Company ("KU") to respond to certain information requests and for modifications to the procedural schedule. The Attorney General ("AG") has also moved for modifications to the procedural schedule. Having reviewed the motions and responses thereto, the Commission grants KIUC's motion in part and denies in part. It denies the AG's motion.

The Commission expects all parties to act in a professional manner and to comply with the Commission's procedural orders. It advises the parties that disputes regarding discovery issues should be resolved informally whenever possible. All parties are expected to timely review responses to discovery requests and, if a response is deemed unresponsive, to promptly request the opposing party's compliance. The Commission further expects that reasonable requests for compliance will be promptly met. Where parties are unable to resolve their differences, a timely motion to compel is then appropriate.

IT IS THEREFORE ORDERED that:

1. KIUC's motion to compel further responses to KIUC Request Items 2, 3, 4(e), 19(a), 26, and 27 is denied.

2. KIUC's motion to compel further response to KIUC Request Item 24(c) is granted in part. KIUC shall select 10 transactions from the list contained in KU's Response to KIUC's Motion to Compel and shall advise KU in writing of its selection no later than 12:00 p.m., Eastern Time, on February 3, 1997. KU shall provide the requested information on the selected transactions no later than February 10, 1997. If KIUC prefers to conduct an onsite inspection of these documents, it shall advise KU of its preference in writing no later than 12:00 p.m., Eastern Time, on February 3, 1997. KU shall make these documents available for inspection at its main offices during normal business hours at a date to be mutually agreed upon. The inspection shall occur no later than February 21, 1997, unless KIUC agrees to a later date.

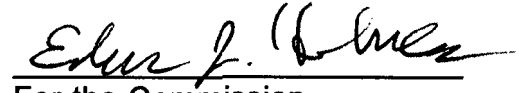
4. KIUC and the AG's motions to modify the procedural schedule to extend by 30 days the time for the filing of intervenor testimony are denied. The testimony of intervenor witnesses shall be filed with the Commission no later than February 5, 1997.

5. If, after reviewing the additional information which KU has been ordered to produce, any intervenor wishes to supplement the filed testimony of its witnesses, it shall make a timely motion to supplement. Such motion shall include the proposed supplemental testimony. Motions filed with this Commission after March 3, 1997 will not be considered timely filed.

6. The procedural schedule set forth in the Commission's Order of December 6, 1997 is vacated and replaced with the procedural schedule appended hereto.

Done at Frankfort, Kentucky, this 30th day of January, 1997.

PUBLIC SERVICE COMMISSION



For the Commission

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 96-523 DATED JANUARY 30, 1997.

- Testimony of Intervenors' witnesses, if any, shall be filed with the
Commission in verified form no later than 02/05/97
- KU's requests for information to Intervenors shall be served
upon Intervenors no later than 02/12/97
- Intervenors' response to KU's requests for information shall
be served upon KU and filed with the Commission no later
than 02/26/97
- Testimony of KU's witnesses, if any, shall be filed in verified
form with the Commission no later than 03/12/97
- All Intervenor requests for information regarding the filed testimony of
KU's witnesses shall be served on KU no later than 03/26/97
- Last day for KU to publish notice of the hearing 04/08/97
- KU's response to Intervenor requests for information shall
be served upon the Intervenors and filed with the Commission
no later than 04/09/97
- A formal hearing in Hearing Room 1 of the Commission's offices
at 730 Schenkel Lane, Frankfort, Kentucky, shall begin at 9:00 a.m.,
Eastern Standard Time, on 04/15/97