

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF KENTUCKY UTILITIES)	
COMPANY FOR APPROVAL OF AN AMENDED)	
COMPLIANCE PLAN FOR PURPOSES OF)	CASE NO.
RECOVERING THE COSTS OF NEW AND)	2000-439
ADDITIONAL POLLUTION CONTROL FACILITIES)	
AND TO AMEND ITS ENVIRONMENTAL COST)	
RECOVERY SURCHARGE TARIFF)	

O R D E R

On October 20, 2000, the Kentucky Utilities Company (“KU”), pursuant to KRS 278.183, filed an application seeking approval of an amended compliance plan for purposes of recovering the costs of new and additional pollution control facilities and to amend its Environmental Cost Recovery Surcharge tariff. As part of its application, KU filed a motion requesting that the Commission incorporate by reference the entire record, including testimony and exhibits, of Case No. 2000-112.¹

On October 27, 2000, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention (“AG”), filed for full intervention in this proceeding, pursuant to KRS 367.150(8).

On October 30, 2000, the Kentucky Industrial Utility Customers, Inc. (“KIUC”) filed for full intervention in this proceeding.

¹ Case No. 2000-112, Application of Kentucky Utilities Company and Louisville Gas and Electric Company for a Certificate of Convenience and Necessity to Construct Selective Catalytic Reduction (SCR) NOx Control Technologies, final Order dated June 22, 2000.

The Commission finds that further proceedings are necessary to investigate the reasonableness of the proposed amendments to KU's compliance plan and surcharge tariff. KRS 278.183(2) prescribes that the Commission complete its examination within six months of the submittal of KU's application. The procedural schedule set forth in Appendix A provides for the completion of this examination within the six-month requirement.

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in Appendix A, which is attached hereto and incorporated herein, shall be followed.

2. All requests for information and responses thereto shall be appropriately indexed. Any request for information from the Commission Staff shall be responded to as if set forth in a Commission Order. All responses shall include the name of the witness who will be responsible for responding to the questions related to the information provided, with copies to all parties of record and 7 copies to the Commission.

3. Any party filing testimony shall file an original and 9 copies. The original and at least 3 copies of the testimony shall be filed as follows:

- a. Together with cover letter listing each person presenting testimony.
- b. Bound in 3-ring binders or with any other fastener which readily opens and closes to facilitate easy copying.
- c. Each witness's testimony should be tabbed.
- d. Every exhibit to each witness's testimony should be appropriately marked.

4. KU shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:011, Section 8(5). At the time publication is requested, KU shall forward a duplicate of the notice and request to the Commission.

5. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

6. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of compelling reasons.

7. KU's motion to incorporate by reference the case record of Case No. 2000-112 into this record is granted.

8. The motions for full intervention by the AG and KIUC are granted.

9. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

Done at Frankfort, Kentucky, this 3rd day of November, 2000.

By the Commission

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2000-439 DATED NOVEMBER 3, 2000

All initial requests for information to KU shall be filed no later than.....	11/21/00
KU shall file responses to initial requests for information no later than.....	12/07/00
All supplemental requests for information to KU shall be filed no later than	12/21/00
KU shall file responses to supplemental requests for information no later than	01/11/01
Intervenor testimony, if any, in verified prepared form shall be filed no later than	01/25/01
All requests for information to Intervenors shall be filed no later than.....	02/08/01
Intervenors shall file responses to request for information no later than.....	02/22/01
Last day for KU to publish notice of hearing.....	03/01/01
Public Hearing is to begin at 9:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, for the purpose of cross-examination of witnesses of KU and Intervenors	03/08/01
Briefs, if any, shall be filed by.....	03/30/01