

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF THE UNION LIGHT, HEAT)	
AND POWER COMPANY FOR DEVIATION)	
FROM REQUIREMENTS UNDER 807 KAR 5:058)	CASE NO. 2001-019
FOR FILING INTEGRATED RESOURCE PLAN)	

O R D E R

This matter comes before the Commission by the application of The Union Light, Heat and Power Company (“ULH&P”) for a deviation from the scheduled filing date for its next Integrated Resource Plan (“IRP”) as prescribed in Administrative Regulation 807 KAR 5:058. ULH&P requested that it be permitted to file its next scheduled IRP on or before October 21, 2003, due to changes in the Ohio IRP filing requirements for its parent company, The Cincinnati Gas and Electric Company, and the schedule for IRP filings for its Indiana affiliate, PSI Energy, Inc. (“PSI”).¹ After filing its next IRP in 2003, ULH&P proposed to file subsequent IRPs in even-numbered years beginning in 2006 to avoid conflicts with PSI’s requirement to file IRPs in Indiana in odd-numbered years.

On September 7, 2001, ULH&P filed an amended application requesting that it file its next IRP by June 30, 2004, rather than October 21, 2003. In support of its request ULH&P cites its offer of settlement in its recent wholesale power contract proceeding, Case No. 2001-058, which offer was approved by the Commission’s Order dated May 11, 2001.² That proceeding culminated in a new wholesale power contract

¹ ULH&P filed its most recent IRP in 1999 and the filing schedule contained in 807 KAR 5:058 requires that IRPs be filed every three years.

² Case No. 2001-058, The Application of The Union Light, Heat and Power Company for Certain Findings Under 15 U.S.C. § 79Z.

under which ULH&P will be served by CG&E, or another affiliate, through December 31, 2006. In its offer of settlement, ULH&P agreed to file a stand-alone IRP by June 30, 2004, including a post-contract supply plan. It further agreed to cooperate in good faith in any review of its power supply alternatives initiated by the Commission prior to that time.

Based on the decision rendered in Case No. 2001-058, the Commission finds that ULH&P's amended request, to file its next IRP by June 30, 2004 should be granted. That IRP should be filed by application that includes prepared testimony in support of ULH&P's recommended power supply alternatives. The Commission will initiate a formal review of that IRP and issue an Order setting forth its findings and conclusions. The Commission further finds that ULH&P should file its subsequent IRPs in even-numbered years beginning in 2006, and that such IRPs should be filed with the Commission no later than October 21 in those years.

Considering that ULH&P's wholesale power contract will now expire at the end of 2006, the Commission finds that, in addition to filing a stand-alone IRP to be reviewed by the Commission in 2004, ULH&P should annually file certain load and sales data to permit the Commission to monitor the conditions that might impact ULH&P's future supply planning. This information, covering the prior calendar year and previous two years on a comparative basis, should be filed by June 30, 2002 and June 30, 2003. The required information is set out in Appendix A, attached to this Order.

IT IS THEREFORE ORDERED that:

1. ULH&P shall, no later than June 20, 2004, file its next IRP, which shall be a stand-alone IRP including prepared testimony and a post-contract supply plan to be reviewed by the Commission in a formal case.

2. ULH&P's request to file subsequent IRPs in even-numbered years, beginning in 2006, is granted. Those IRPs shall be filed not later than October 21 of the even-numbered years.

3. ULH&P shall file the information set out in Appendix A to this Order with the Commission by June 30, 2002 and June 30, 2003.

Done at Frankfort, Kentucky, this 26th day of November, 2001.

By the Commission

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2001-019 DATED NOVEMBER 26, 2001

Items for Annual Informational Filing by ULH&P

The required Information shall be provided for the most recent calendar year and the two previous calendar years in comparative form unless otherwise specified.

1. Number of customers by customer class on a monthly basis. Electric-only customers and combination gas and electric customers shall be disaggregated.
2. KWh sales by customer class on a monthly basis. Sales to electric-only customers and combination gas and electric customers shall be disaggregated.
3. Actual KWh purchases, KWh sales, and peak KW demand system-wide on a monthly basis. Demand shall be disaggregated into base-load and temperature-sensitive demand. The date and hour shall be reported for monthly peak demands.
4. Weather-normalized KWh purchases, KWh sales, and peak KW demand system-wide on a monthly basis. Demand shall be disaggregated into base-load and temperature-sensitive demand. The date and hour shall be reported for monthly peak demands.
5. In comparative form, actual monthly cooling-degree days and heating-degree days and the most recent 30-year normal monthly cooling-degree days and heating-degree days published by NOAA.
6. Load shape curves that show actual peak demands and weather-normalized peak demands on a monthly basis for the ULH&P system in aggregate.
7. Load shape curves showing the number of hours that ULH&P's system-wide demand exceeds these levels: (1) 400 MW; (2) 500 MW; (3) 600 MW; (4) 700 MW; and (5) 800 MW.
8. High and Low "Into Cinergy" prices for market power purchases as of the 1st, 11th, and 21st of each month.