

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOINT APPLICATION OF LOUISVILLE GAS AND)	
ELECTRIC COMPANY, METRO HUMAN NEEDS)	
ALLIANCE, PEOPLE ORGANIZED AND WORKING)	
FOR ENERGY REFORM, KENTUCKY)	CASE NO.
ASSOCIATION FOR COMMUNITY ACTION, AND)	2001-323
JEFFERSON COUNTY GOVERNMENT FOR THE)	
ESTABLISHMENT OF A HOME ENERGY)	
ASSISTANCE PROGRAM)	

O R D E R

On January 3, 2002, Louisville Gas and Electric Company (LG&E) filed a motion requesting an extension of time until January 10, 2002 to file a response to the directive in ordering paragraph 2 of the Commission s December 27, 2001 Order. In addition, Intervenor Robert L. Madison filed a motion requesting the Commission to delay the Home Energy Assistance Program (HEA) that was approved by the December 27, 2001 Order until the time to file for rehearing has expired or the Commission issues an Order on rehearing. Mr. Madison s motion also requests an additional 7 days to file a request for rehearing.

Based on the motions and being otherwise sufficiently advised, the Commission finds that LG&E s request for an extension until January 10, 2002 to file a response indicating whether it accepts the modified terms of the HEA set forth in the Commission s December 27, 2001 Order is reasonable and should be granted. Mr. Madison s request to delay the effectiveness of the HEA until any rehearing is concluded is not reasonable. The requirements of Commission Orders remain in full

force and effect during any rehearing phase, and there has been no reason advanced why the Commission's December 27, 2001 Order should be suspended until the conclusion of any rehearing. The Commission also notes that the HEA has not, and will not, become effective until such time as it is affirmatively accepted by LG&E.

The Commission further finds that the time to request rehearing is prescribed by statute, and the Commission has no authority to extend that time.

IT IS THEREFORE ORDERED that the motion of LG&E is granted and the motion of Robert L. Madison is denied.

Done at Frankfort, Kentucky, this 9th day of January, 2002.

By the Commission

ATTEST:


Executive Director