

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION OF LOUISVILLE GAS AND ) CASE NO.  
ELECTRIC COMPANY'S PREPAID GAS AND ) 2002-00232  
ELECTRIC SERVICE )

O R D E R

On November 13, 2002, Metro Human Needs Alliance and People Organized and Working for Energy Reform ( MHNA/POWER ) filed a motion requesting the procedural schedule be amended to provide an opportunity to file data requests related to the rebuttal testimony to be filed by Louisville Gas and Electric Company ( LG&E ) and to allow MHNA/POWER and opportunity to file surrebuttal testimony.

LG&E filed on November 14, 2002 a response to the motion. LG&E objects to modifying the procedural schedule to allow MHNA/POWER an opportunity to file surrebuttal testimony on the grounds that LG&E bears the burden of proof in this case and, accordingly, it is entitled to have the last word on the issues pending. On the issue of discovery related to its rebuttal testimony, LG&E states that it will file all workpapers and supporting calculations with its rebuttal testimony and that if any further discovery is authorized, it should be expressly limited to new issues raised in its rebuttal testimony.

Based on the motion and the response thereto, and being otherwise sufficiently advised, the Commission finds that MHNA/POWER should be allowed an opportunity to file data requests relating to LG&E s rebuttal testimony. However, since LG&E bears

the burden of proof in this case, good cause has not been shown to justify the filing of surrebuttal testimony.

IT IS THEREFORE ORDERED that:

1. That portion of the motion filed by MHNA/POWER requesting an opportunity to file surrebuttal testimony is denied.

2. That portion of the motion filed by MHNA/POWER requesting an opportunity to file data requests relating to LG&E's rebuttal testimony is granted. Any data request to LG&E shall be limited to those issues raised in its rebuttal testimony and shall be filed no later than December 3, 2002, and LG&E shall respond to those requests for information no later than December 17, 2002.

Done at Frankfort, Kentucky, this 20<sup>th</sup> day of November, 2002.

By the Commission

ATTEST:

Deputy W<sup>m</sup> H. Fowler  
Executive Director