

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CITIPOWER, L.L.C. FOR)	
APPROVAL OF FINANCING PURSUANT TO)	CASE NO.
KRS 278.300)	2004-00123

O R D E R

On March 26, 2004, Citipower, L.L.C. ("Citipower") submitted an application seeking Commission approval to renew a note payable to the Bank of McCreary County. In response to deficiencies noted by Commission Staff, Citipower supplemented its application on April 27, 2004. As part of its supplemental filing, Citipower requests that the Commission grant it permission to deviate from the provision of 807 KAR 5:001, Section 6, requiring that, "[w]henver in these rules it is provided that a financial exhibit shall be annexed to the application, the said exhibit shall cover operations for a twelve (12) month period, said period ending not more than ninety (90) days prior to the date the application is filed." Citipower requests that the Commission accept Citipower's 2003 Annual Report. The 2003 Annual Report covers the 12-month period ending December 31, 2003.

The Commission, having reviewed the record and being otherwise sufficiently advised, finds that the 2003 Annual Report contains information sufficiently recent to render a decision in this case. Therefore, we find that good cause has been shown to grant Citipower's request to deviate from the 90-day requirement of 807 KAR 5:001, Section 6.

IT IS THEREFORE ORDERED that Citipower is granted permission to deviate from the 90-day requirement of 807 KAR 5:001, Section 6, and that its application is accepted for filing as of the date of this Order.

Done at Frankfort, Kentucky, this 1st day of June, 2004.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end, positioned above the text 'Executive Director'.

Executive Director