

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF EAST KENTUCKY POWER)	
COOPERATIVE, INC. FOR APPROVAL OF AN)	
ENVIRONMENTAL COMPLIANCE PLAN AND)	CASE NO.
AUTHORITY TO IMPLEMENT AN)	2004-00321
ENVIRONMENTAL SURCHARGE)	

O R D E R

On September 17, 2004, East Kentucky Power Cooperative, Inc. ("East Kentucky"), pursuant to KRS 278.183, filed an application seeking approval of a compliance plan for purposes of recovering the costs of new and additional pollution control facilities and to implement an environmental surcharge tariff.

The Commission finds that further proceedings are necessary to investigate the reasonableness of the proposed compliance plan and surcharge tariff. KRS 278.183(2) prescribes that the Commission complete its examination within 6 months of the submittal of East Kentucky's application. The procedural schedule set forth in Appendix A provides for the completion of this examination within the 6-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 and 7 copies shall be filed with the Commission, with copies to all parties of

record. Any request for information by letter 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 questions related to the information provided.

3. Any party filing testimony shall file an original and 10 copies.

4. East Kentucky 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, East Kentucky 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. Any objections or motions relating to discovery or procedural dates shall be filed upon 4 business days' notice or explain why such notice was not possible.

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

Done at Frankfort, Kentucky, this 8th day of October, 2004.

By the Commission

ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2004-00321 DATED October 8, 2004

All initial requests for information to East Kentucky shall
be filed no later than..... 10/22/04

East Kentucky shall file responses to initial requests for
information no later than..... 11/04/04

All supplemental requests for information to East Kentucky
shall be filed no later than 11/19/04

East Kentucky shall file responses to supplemental requests
for information no later than12/03/04

Intervenor testimony, if any, in verified prepared form
shall be filed no later than12/17/04

All requests for information to Intervenors shall be
filed no later than.....01/06/05

Intervenors shall file responses to requests for
information no later than..... 01/20/05

Last day for East Kentucky to publish notice of hearing To be scheduled

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
East Kentucky and Intervenors To be scheduled

Briefs, if any, shall be filed by To be scheduled