

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF KENTUCKY UTILITIES	)	
COMPANY FOR A CERTIFICATE OF PUBLIC	)	CASE NO.
CONVENIENCE AND NECESSITY TO	)	2004-00426
CONSTRUCT FLUE GAS DESULFURIZATION	)	
SYSTEMS AND APPROVAL OF ITS 2004	)	
COMPLIANCE PLAN FOR RECOVERY BY	)	
ENVIRONMENTAL SURCHARGE	)	

O R D E R

On December 20, 2004, Kentucky Utilities Company (“KU”), pursuant to KRS 278.020(1) and 278.183, filed an application requesting a Certificate of Public Convenience and Necessity for the construction of certain sulfur dioxide control technologies and seeking approval of an amended compliance plan for purposes of recovering the costs of new and additional pollution control facilities and amend its Environmental Cost Recovery Surcharge tariff.

The Commission finds that further proceedings are necessary to investigate the reasonableness of the proposed amendments to KU’s compliance plan and surcharge tariff. KRS 278.183(2) prescribes that the Commission complete its examination within 6 months of the submittal of KU’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 the attached Appendix A shall be followed.
2. All requests for information and responses thereto shall be appropriately indexed. Any request for information 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 the questions related to the information provided, with copies to all parties of record and 7 copies to the Commission.
3. Any party filing testimony shall file an original and 10 copies.
4. KU 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, KU 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. Motions for extensions of time with respect to the attached schedule shall be made in writing and will be granted only upon a showing of compelling reasons.
7. Nothing contained in this Order prevents the Commission from entering further Orders in this matter.

Done at Frankfort, Kentucky, this 12<sup>th</sup> day of January, 2005.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and flourishes, positioned above a horizontal line.

Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2004-00426 DATED January 12, 2005

All initial requests for information to KU  
shall be filed no later than ..... 01/26/05

KU shall file responses to initial requests  
for information no later than ..... 02/09/05

All supplemental requests for information to  
KU shall be filed no later than ..... 02/23/05

KU shall file responses to supplemental  
requests for information no later than..... 03/09/05

Intervenor testimony, if any, in verified prepared form  
shall be filed no later than ..... 03/23/05

All requests for information to Intervenors shall be  
filed no later than..... 04/06/05

Intervenors shall file responses to requests for  
information no later than..... 04/20/05

KU's rebuttal testimony, if any, in verified prepared form  
shall be filed no later than ..... 04/27/05

Last day for KU to publish notice of hearing..... 05/03/05

Public Hearing is to begin at 9:00 a.m., Eastern  
Daylight 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  
KU and Intervenors ..... 05/10/05

Briefs, if any, shall be filed by..... 05/27/05