

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOINT APPLICATION OF	)	
LOUISVILLE GAS AND ELECTRIC	)	
COMPANY AND KENTUCKY UTILITIES	)	
COMPANY FOR THE CONSTRUCTION	)	CASE NO. 2005-00142
OF TRANSMISSION FACILITIES IN	)	
JEFFERSON, BULLITT, MEADE, AND	)	
HARDIN COUNTIES, KENTUCKY	)	

O R D E R

On May 11, 2005, Louisville Gas and Electric Company and Kentucky Utilities Company ("Applicants") jointly filed an application for approval of the construction of a transmission line in Jefferson, Bullitt, Meade, and Hardin Counties, Kentucky. On May 23, 2005, the Commission issued a preliminary procedural schedule, including the date on which intervenor testimony was due. On July 13, 2005, Cathy and Dennis Cunningham ("Intervenors") filed a motion to dismiss and a request for oral argument; further, on July 15 they moved for an extension of time to file testimony until July 22, 2005. Applicants filed responses in opposition to both motions on July 19, 2005. The hearing in this matter is set jointly with two other transmission line applications for July 26 and, if necessary, July 27, 2005.

The Commission has reviewed Intervenors' motions and Applicants' responses. The Commission's calendar makes scheduling of an oral argument prior to July 26, 2005 impossible, so the motion for oral argument is denied. Based on the motion and response, the Commission likewise denies the motion to dismiss. Applicant has made a

sufficient showing to go forward with the scheduled hearing. The Commission does believe Intervenor should have additional time to file testimony, given the difficulty in finding an expert who does not have conflicts. Nevertheless, the Commission recognizes Applicants' need for sufficient time to review any testimony before the hearing. Therefore, Intervenor should file all remaining testimony in this case no later than noon, Eastern Daylight Time, on July 21, 2005.

IT IS THEREFORE ORDERED that:

1. Intervenor's motions to dismiss and for oral argument are denied.
2. Intervenor is granted an extension of time to file testimony in this case to noon, Eastern Daylight Time, on July 21, 2005.

Done at Frankfort, Kentucky, this 19<sup>th</sup> day of July, 2005.

By the Commission

ATTEST:

  
Executive Director