

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF THE UNION LIGHT, HEAT)
AND POWER COMPANY D/B/A DUKE) CASE NO. 2006-00172
ENERGY KENTUCKY FOR AN)
ADJUSTMENT OF ELECTRIC RATES)

FIRST DATA REQUEST OF COMMISSION STAFF
TO THE KROGER COMPANY AND
ST. ELIZABETH MEDICAL CENTER

The Kroger Company and St. Elizabeth Medical Center, pursuant to 807 KAR 5:001, are requested to file with the Commission the original and 6 copies of the following information, with a copy to all parties of record. The information requested herein is due on or before October 10, 2006. Each copy of the data requested should be placed in a bound volume with each item tabbed. When a number of sheets are required for an item, each sheet should be appropriately indexed, for example, Item 1(a), Sheet 2 of 6. Include with each response the name of the witness who will be responsible for responding to questions relating to the information provided. Careful attention should be given to copied material to ensure that it is legible. Where information requested herein has been provided, in the format requested herein, reference may be made to the specific location of said information in responding to this information request.

1. Refer to the Direct Testimony of Kevin C. Higgins ("Higgins Testimony"), pages 16 and 17.

a. Did Mr. Higgins review the provisions of the Commission's uniform Fuel Adjustment Clause ("FAC") regulation as prescribed in 807 KAR 5:056 prior to filing his testimony?

b. If yes to part (a), explain in detail how the costs associated with the "PowerShare CallOption" program can be recovered through the FAC and include references to the specific provisions of the FAC that authorize the recovery of such costs.

c. If no to part (a), explain the basis for Mr. Higgins' conclusion that the PowerShare CallOption program costs can be recovered through the FAC.

2. Refer to the Higgins Testimony, pages 16 and 17. Mr. Higgins recommends funding the PowerShare CallOption program through the FAC or Rider DSM. Explain whether Mr. Higgins is aware of other utilities in Kentucky, or in other jurisdictions, that use an FAC or demand-side management mechanism to credit customers for load curtailments. If Mr. Higgins is aware of similar arrangements for load curtailments, identify the jurisdiction, the utility name, and the mechanism used to apply the credit.



Beth O'Donnell
Executive Director
Public Service Commission
P. O. Box 615
Frankfort, KY 40602

DATED September 26, 2006

cc: All Parties