

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|-------------------------------------|---|------------|
| NOTICE OF AMENDMENTS TO EXISTING |) | |
| TARIFFS OF BIG RIVERS ELECTRIC |) | |
| CORPORATION AND KENERGY CORP. |) | CASE NO. |
| TO IMPLEMENT A VOLUNTARY REAL-TIME |) | 2007-00164 |
| PRICING PILOT PROGRAM FOR LARGE |) | |
| COMMERCIAL AND INDUSTRIAL CUSTOMERS |) | |

O R D E R

On April 20, 2007, Big Rivers Electric Corporation (“Big Rivers”) and Kenergy Corp. (“Kenergy”) submitted a joint application to the Commission for amendments to existing tariffs to implement a voluntary real-time pricing pilot program for large commercial and industrial customers. The application was filed in compliance with the Commission’s December 21, 2006 Order in Case No. 2006-00045.¹

Big Rivers and Kenergy proposed that their tariffs become effective on June 1, 2007. Based on a review of the application, the Commission finds that an investigation will be necessary to determine the reasonableness of the proposed tariff and that the investigation cannot be completed by June 1, 2007. Therefore, pursuant to KRS 278.190(2), the Commission will suspend the effective date of the proposed tariffs for 5 months.

¹ Administrative Case No. 2006-00045, Consideration of the Requirements of the Federal Energy Policy Act of 2005 Regarding Time-Based Metering, Demand Response, and Interconnection Service.

IT IS THEREFORE ORDERED that:

1. Pursuant to KRS 278.190(2), Big Rivers' and Kenergy's proposed tariffs are suspended up to and including October 31, 2007.

2. The procedural schedule set forth in Appendix A, which is attached hereto and incorporated herein, shall be followed.

3. a. Responses to requests for information shall be appropriately indexed and shall include the name of the witness responsible for responding to the questions related to the information provided, with copies to all parties of record and 5 copies to the Commission.

b. Each response shall be under oath or, for representatives of a public or private corporation, a partnership, an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. A party shall make timely amendment to any prior response if it obtains information upon the basis of which it knows that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails to furnish all or part of the requested information that party shall provide a written explanation of the specific grounds for its failure to furnish.

4. Any party filing testimony shall file an original and 5 copies.

5. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

6. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

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

Done at Frankfort, Kentucky, this 15th day of May.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end.

Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2007-00164 DATED May 15, 2007

All initial requests for information to Big Rivers and Kenergy
shall be filed no later than05/18/07

Big Rivers and Kenergy shall file responses to initial
requests for information no later than.....06/05/07

All supplemental requests for information to
Big Rivers and Kenergy shall be filed no later than.....06/15/07

Big Rivers and Kenergy shall file responses to supplemental
requests for information no later than.....06/28/07

Intervenor comments shall be filed no later than.....07/12/07

Reply comments shall be filed no later than.....07/23/07

Any party desiring a public hearing in this matter shall file a written request
for a hearing setting forth the identity of all witnesses that the party
intends to call and a summary of the testimony that will be presented
no later than7/31/07