

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BIG RIVERS ELECTRIC	)	CASE NO.
CORPORATION FOR AN ADJUSTMENT OF	)	2012-00535
RATES	)	

ORDER

On March 22, 2013, Kentucky Industrial Utility Customers, Inc. ("KIUC") filed a motion requesting a modification of the procedural schedule to allow it a one-week extension, from April 11, 2013 to April 18, 2013, to file its testimony. In connection with this request, KIUC proposes that requests for information to KIUC also be extended one week, from April 25, 2013 to May 2, 2013, but that the current due date of May 9, 2013 be retained as the deadline for filing responses to those requests for information. In essence, KIUC agrees to reduce the amount of time it will be afforded to provide discovery responses from two weeks to one week. KIUC based its request for an extension on the large volume of data responses and other information that must be analyzed prior to filing its testimony. KIUC notes that the Attorney General ("AG") does not object to KIUC's request, but that the AG would prefer the current procedural schedule to remain unchanged as it applies to the AG. If its extension is granted, KIUC commits not to review any of the intervenor testimony to be filed April 11, 2013 prior to filing its own testimony one week later so that it would not gain any undue advantage from the delay in filing its own testimony.

KIUC also requests that an informal conference be scheduled to discuss the proposed scheduling changes.

On April 1, 2013, Big Rivers Electric Corporation ("Big Rivers") filed a response arguing that KIUC's motion should be denied. Although it does not object to the dates KIUC proposed, Big Rivers does object to having different procedural schedules applied to different parties. Big Rivers contends that there should be one schedule applicable to all parties. Big Rivers is also of the belief that the informal conference is not necessary and would be an inefficient use of the Commission's and the parties' limited time and resources.

KIUC subsequently filed a reply in support of its motion, contending that its request would not prejudice any party, since it allows Big Rivers and the AG the same amount of time to submit data requests to KIUC after receiving KIUC's direct testimony, just as they have under the existing procedural schedule. KIUC further contends that given the importance of this proceeding to Big Rivers and its ratepayers, it is reasonable to grant KIUC a one-week extension of time to file direct testimony in exchange for having one less week to respond to discovery requests.

On April 1, 2013, the AG filed its own motion to amend the procedural schedule to allow for an extension of time to file the testimony of one of its witnesses. The AG informs that its witness, David Brevitz, needs to attend to personal matters due to the recent passing of his father and would need an additional week from April 11, 2013 to April 18, 2013 in which to file his testimony. The AG also requests that data requests associated with Mr. Brevitz's testimony be extended a week, from April 25, 2013 to May

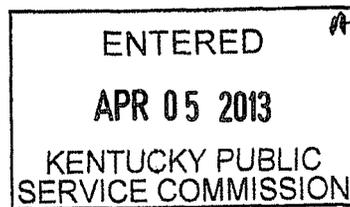
2, 2013. The AG advises that he has two additional experts and that the current procedural schedule should remain the same for these two experts.

Having reviewed the pleadings and being otherwise sufficiently advised, the Commission finds that KIUC and the AG have established good cause to allow them an extension of time in which to file their respective testimonies. The Commission also finds, as Big Rivers contends, that there should be a single procedural schedule that applies to all parties.

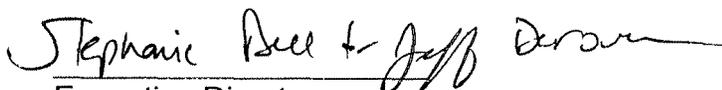
IT IS THEREFORE ORDERED that:

1. KIUC's and the AG's motions for an extension of time are granted to the extent that all intervenor testimony shall be filed by April 18, 2013, and all subsequent procedural steps shall be extended by one week.
2. The procedural schedule attached as the Appendix shall be followed in this case and shall supersede the procedural schedule appended to the Commission's February 1, 2013 Order.
3. KIUC's request for an informal conference is denied as moot.

By the Commission



ATTEST:

  
Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2012-00535 DATED APR 05 2013

- Intervenor testimony, if any, in verified prepared form, shall be filed no later than ..... 04/18/13
- All requests for information to Intervenors shall be filed no later than ..... 05/02/13
- Intervenors shall file responses to requests for information no later than ..... 05/16/13
- Big Rivers rebuttal testimony, if any, in verified prepared form shall be filed no later than ..... 05/30/13
- Last day for Big Rivers to publish notice of hearing ..... To be scheduled
- Public Hearing to be held in Hearing Room 1 of the Commission's offices at 21 1 Sower Boulevard, Frankfort, Kentucky, for the purpose of cross-examination of witnesses of Big Rivers and Intervenors ..... To be scheduled
- Simultaneous briefs, if any, are to be filed ..... To be scheduled

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