

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF LOUISVILLE GAS)
AND ELECTRIC COMPANY FOR AN ADJUSTMENT) 2014-00372
OF ITS ELECTRIC AND GAS RATES)

**ATTORNEY GENERAL'S RESPONSE TO MOTION OF WALLACE
McMULLEN AND SIERRA CLUB TO RESCHEDULE HEARING
SET FOR APRIL 21, 2015**


Comes now the Intervenor, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, pursuant to the Commission's 9 February 2015 Order, and submits this Response to the Motion of Wallace McMullen and Sierra Club to Reschedule Hearing Set for April 21, 2015.

The vacation schedule of a single party's witness is not proper grounds for rescheduling a Hearing, especially where it is unclear whether that witness's presence will even be necessary during the Hearing. Mr. Wallach has not yet filed testimony in this case nor has he responded to any data requests. Notably, Sierra Club has not indicated that Mr. Wallach will file testimony in this case.

Sierra Club notified a representative of LG&E and KU of its intention to seek a rescheduled Hearing; however Sierra Club made no effort to notify the Attorney General. It is unclear whether Sierra Club notified any intervening party of its intention to move for a rescheduled Hearing. Judging by other Intervenor responses, it seems clear Sierra Club made no attempt to discern whether a Hearing during the week of April 27th would cause prejudice to other parties. For certain, the Attorney General was not contacted in order to determine whether rescheduling the Hearing for the following week would cause prejudice. Therefore, Sierra Club's

claim that no party will experience prejudice is entirely unfounded. The Attorney General carries a high volume of cases, which involves numerous commitments before the PSC as well as other jurisdictions within the Commonwealth. As such, by rescheduling the Hearing to the week of April 27, 2015 the Attorney General will be prejudiced. Should Sierra Club or other parties wish to discuss alternative Hearing dates that would not cause prejudice to the Attorney General, but may be amenable to the Commission, the Attorney General's preference is to hold those conversations before burdening the Commission and other parties with numerous filings on a banal procedural issue. Wherefore, Sierra Club's Motion to Reschedule the Hearing must be denied.

Respectfully submitted,
JACK CONWAY
ATTORNEY GENERAL



GREGORY T. DUTTON
LAWRENCE W. COOK
ANGELA M. GOAD
STEFANIE J. KINGSLEY
ASSISTANT ATTORNEYS GENERAL
1024 CAPITAL CENTER DRIVE
SUITE 200
FRANKFORT, KY 40601-8204
(502) 696-5453
FAX: (502) 573-1005
Gregory.Dutton@ky.gov
Larry.Cook@ky.gov
Angela.Goad@ky.gov
Stefanie.Kingsley@ky.gov