

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATIONS OF BIG RIVERS )  
ELECTRIC CORPORATION FOR: )  
(I) APPROVAL OF WHOLESALE TARIFF )  
ADDITIONS FOR BIG RIVERS ELECTRIC )  
CORPORATION, (II) APPROVAL OF )  
TRANSACTIONS, (III) APPROVAL TO ISSUE ) CASE NO. 2007-00455  
EVIDENCES OF INDEBTEDNESS, AND )  
(IV) APPROVAL OF AMENDMENTS TO )  
CONTRACTS; AND OF E.ON U.S., LLC, )  
WESTERN KENTUCKY ENERGY CORP., )  
AND LG&E ENERGY MARKETING, INC. )  
FOR APPROVAL OF TRANSACTIONS )

O R D E R

Pending before the Commission are the following motions requesting authority to amend the application that was jointly filed in this case by Big Rivers Electric Corporation ("Big Rivers") and E.ON U.S., LLC, Western Kentucky Energy Corporation, and LG&E Energy Marketing, Inc.:

- February 1, 2008 - Motion To Amend Application to revise Big Rivers' Open Access Transmission Tariff ("OATT");
- March 31, 2008 - Motion To Amend and Supplement Application (First Amendment and Supplement to Application) to submit financing documents relating to two credit agreements;
- April 11, 2008 - Motion To Amend and Supplement Application (Second Amendment and Supplement to Application) to submit additional financing documents;
- April 23, 2008 - Motion To Amend and Supplement Application (Third Amendment and Supplement to Application) to submit additional financing documents; and

- October 9, 2008 - Motion To Amend and Supplement Application (Fifth Amendment and Supplement to Application) to submit 29 exhibits, including a revised Unwind Financial Model, revised testimonies, amended transaction documents, and amendments to Big Rivers' proposed general tariff and OATT.<sup>1</sup>

Based on the motions, which are all unopposed, and being otherwise sufficiently advised, the Commission finds good cause to grant the motions and authorize the joint application to be amended as requested. The Commission further finds that since the October 9, 2008 amendment includes revised versions of Big Rivers' proposed tariffs that were originally filed with the joint application on December 28, 2007, the filing of these revised tariffs on October 9, 2008 restarts the 10-month period for review set forth in KRS 278.190(3). However, the Commission notes that a public hearing on the issues in this case has been set for December 2, 2008, and this case will then be concluded as soon as reasonably possible.

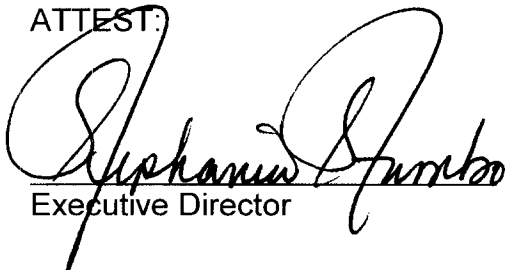
IT IS THEREFORE ORDERED that the motions to amend the application as described in the findings above are granted.

Done at Frankfort, Kentucky, this 10<sup>th</sup> day of November, 2008.

By the Commission

Chairman Armstrong abstains.

ATTEST:

  
Executive Director

<sup>1</sup> By Order dated July 30, 2008, the Commission granted Big Rivers' Motion to Amend and Supplement Application ("Fourth Amendment and Supplement to Application").