

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CLARK ENERGY)
COOPERATIVE, INC. FOR AN) CASE NO. 2009-00314
ADJUSTMENT OF RATES)

O R D E R

On November 18, 2009, Clark Energy Cooperative, Inc. ("Clark Energy") submitted for filing an application for an adjustment of electric rates based on a historical test period. The application proposed that the new rates become effective on December 21, 2009. Based on a review of Clark Energy's rate application, the Commission finds that an investigation will be necessary to determine the reasonableness of the proposed rates and that the investigation cannot be concluded by December 21, 2009. Therefore, pursuant to KRS 278.190(2), the Commission will suspend the effective date of the proposed rates for five months.

The Commission expects the parties to use their best efforts to informally resolve any discovery disputes. Any such informal resolution should be promptly reduced to writing and filed with the Commission and all parties of record. Absent informal resolution, an objection or motion should be filed at least four business days prior to the established due date. If this deadline is not met, the filing party should include in the written objection or motion a full and complete explanation for such failure.

IT IS THEREFORE ORDERED that:

1. Clark Energy's rates are suspended for five months from the December 21, 2009 effective date up to and including May 20, 2010.

2. The procedural schedule set forth in the Appendix to this Order shall be followed.

3. a. All requests for information and responses thereto shall be appropriately bound, tabbed, and indexed and the original and seven copies shall be filed with the Commission, with copies to all parties of record. Any request for information by letter from the Commission Staff shall be responded to as if set forth in a Commission Order. All responses shall include the name of the witness who will be responsible for responding to questions related to the information provided.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or 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 which indicates 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 or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

4. Any party filing testimony shall file the original and seven copies with the Commission, with copies to all parties of record.

5. Clark Energy shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:011, Section 8(5). At the time publication is requested, Clark Energy shall forward a duplicate of the notice and request to the Commission.

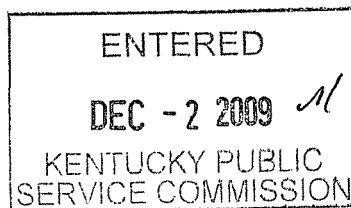
6. At any public hearing in this matter, neither opening statements nor summarization of direct testimony shall be permitted.

7. Any objections or motions relating to discovery or procedural dates shall be filed upon four business days' notice or the filing party shall explain, in writing, why such notice was not possible.

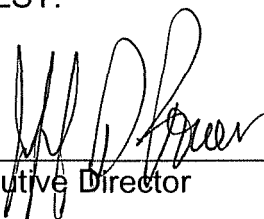
8. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

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

By the Commission



ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2009-00314 DATED DEC - 2 2009

- All initial requests for information to Clark Energy
shall be filed no later than.....12/16/2009
- Clark Energy shall file responses to initial requests
for information no later than.....01/04/2010
- All supplemental requests for information to
Clark Energy shall be filed no later than01/15/2010
- Clark Energy shall file responses to supplemental
requests for information no later than01/28/2010
- Intervenor testimony, if any, in verified prepared form,
shall be filed no later than.....02/10/2010
- All requests for information to Intervenors shall be
filed no later than02/24/2010
- Intervenors shall file responses to requests for
information no later than03/11/2010
- Last day for Clark Energy to publish notice of hearing.....to be scheduled
- Public hearing for the purpose of cross-examination
of witnesses of Clark Energy and Intervenors.....to be scheduled
- Simultaneous Briefs, if any.....to be scheduled

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