

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES	)	
COMPANY CONCERNING THE NEED TO	)	
OBTAIN CERTIFICATES OF PUBLIC	)	CASE NO.
CONVENIENCE AND NECESSITY FOR THE	)	2009-00325
CONSTRUCTION OF TEMPORARY	)	
TRANSMISSION FACILITIES IN HARDIN	)	
COUNTY, KENTUCKY	)	

O R D E R

On September 3, 2009, Kentucky Utilities Company ("KU") filed an application seeking a determination that Certificates of Public Convenience and Necessity ("Certificate") are not required to build two temporary transmission line segments. By Order dated September 21, 2009, the Commission found that KU was required to obtain a Certificate for the proposed transmission line segments.

In its application, KU also sought, in the alternative, Commission approval for Certificates to construct two temporary 345 kV transmission line segments in portions of Hardin County, Kentucky. The approximate lengths of the proposed lines will be 1.78 miles and 1.45 miles. KU states that the temporary line segments are necessary in order to complete the 42-mile transmission line running from Louisville Gas and Electric's Mill Creek Generating Station in Jefferson County, through Bullitt, Meade, and Hardin Counties, to the KU Hardin County Substation in Elizabethtown ("MC-HC line").

Although KU has obtained the necessary Certificates to construct the MC-HC line,<sup>1</sup> it has been unable to begin construction of two segments of that transmission line due to litigation delays in obtaining necessary easements. KU maintains that it must build the temporary transmission line segments to work around the parcels whose owners have created the litigation delays in order to energize the entire MC-HC line at the time that its Trimble County 2 Generating Unit goes online.

Pursuant to KRS 278.020(8), "The commission shall issue its decision no later than ninety (90) days after the application is filed, unless the commission extends this period, for good cause, to one hundred twenty (120) days." Due to the nature of the case and the issues involved, the Commission finds that good cause exists in this matter to warrant such an extension.

In the exercise of our discretion pursuant to KRS 278.020(8) and KRS 278.255(3), the Commission deems it necessary to hire a competent, qualified, and independent firm to assist the Commission in reaching a decision in the instant case. The Commission has retained Liberty Consulting Group to assess KU's proposed temporary transmission line segments and to issue a report.

To ensure that all parties have an opportunity to participate fully in this proceeding, the Commission will establish a procedural schedule, attached hereto in the Appendix, based on this extended time period.

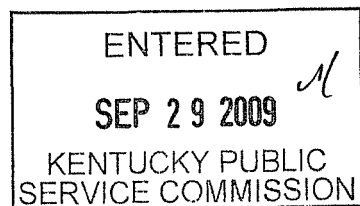
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<sup>1</sup> See, Case No. 2005-00142, Joint Application of Louisville Gas and Electric Company and Kentucky Utilities Company for the Construction of Transmission Facilities in Jefferson, Bullitt, Meade, and Hardin Counties, Kentucky (Ky. PSC, Sept. 8, 2005) and Case No. 2005-00467, Joint Application of Louisville Gas and Electric Company and Kentucky Utilities Company for the Construction of Transmission Facilities in Jefferson, Bullitt, Meade, and Hardin Counties (Ky. PSC, Mar. 26, 2006).

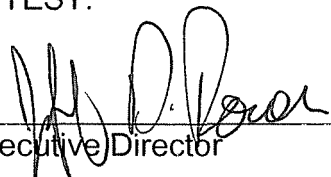
IT IS THEREFORE ORDERED that:

1. The time period in which the Commission must issue its decision in this case is extended from 90 days to 120 days, or January 1, 2010.
2. The attached procedural schedule shall apply to the processing of this case.

For the Commission



ATTEST:

  
Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2009-00325 DATED **SEP 29 2009**

- Commission Staff consultant shall file report on the application no later than ..... 10/12/09
- Requests for intervention shall be filed no later than ..... 10/16/09
- All initial requests for information on the application and on the consultant's report shall be filed no later than ..... 10/21/09
- Responses to initial requests for information shall be filed no later than ..... 10/30/09
- Requests for hearing shall be filed no later than ..... 11/04/09
- All supplemental requests for information on the application and the consultant's report shall be filed no later than ..... 11/09/09
- Responses to supplemental requests for information shall be filed no later than ..... 11/16/09

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