

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                                    |   |            |
|------------------------------------|---|------------|
| APPLICATION OF BIG RIVERS ELECTRIC | ) | CASE NO.   |
| CORPORATION FOR APPROVAL TO ISSUE  | ) | 2009-00441 |
| EVIDENCES OF INDEBTEDNESS          | ) |            |

O R D E R

Big Rivers Electric Corporation ("Big Rivers") tendered its application in this matter with the Commission on November 13, 2009. Big Rivers' application falls within our jurisdiction under KRS 278.300. That statute requires the Commission to adjudicate financing applications within 60 days of filing, unless good cause exists to continue the application. Here, the Commission finds that an investigation of the proposed financing is necessary to determine its reasonableness, and that the investigation cannot be completed within 60 days of the filing date of the application. In addition, the Commission finds that a procedural schedule should be established to commence a review of the reasonableness of the proposed financing. That procedural schedule is attached hereto as an Appendix to this Order and is incorporated herein.

IT IS THEREFORE ORDERED that:

1. Big Rivers' request for approval of its proposed financing is continued beyond the 60-day time limit set forth in KRS 278.300(2).
2. The procedural schedule for processing the review of the proposed financing is attached hereto as an Appendix and shall be followed in this case.

3. Any document filed with the Commission shall be served on all parties of record, with nine copies to the Commission.

4. All parties shall respond to any interrogatories or requests for production of documents that Commission Staff submits in accordance with the procedural schedule set forth in the Appendix.

5. a. Responses to requests for information shall be appropriately bound, tabbed and indexed and shall include the name of the witness responsible for responding to the 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 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. Any 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.

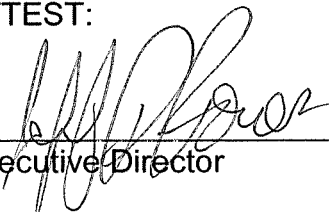
d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

6. 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.

By the Commission

ENTERED  
DEC - 9 2009 *M*  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
\_\_\_\_\_  
Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2009-00441 DATED **DEC - 9 2009**

|   |          |
|---|----------|
| Initial data requests to Big Rivers shall be filed<br>no later than.....                      | 12/17/09 |
| Responses to initial data requests by Big Rivers<br>shall be filed no later than.....         | 01/05/10 |
| Supplemental data requests to Big Rivers shall be<br>filed no later than .....                | 01/19/10 |
| Responses to supplemental data<br>requests by Big Rivers shall be filed no later than .....   | 01/29/10 |
| Intervenor testimony, if any, in verified prepared form,<br>shall be filed no later than..... | 02/11/10 |
| Data requests to Intervenors shall be filed no later than.....                                | 02/24/10 |
| Intervenors' responses to data requests shall be<br>filed no later than .....                 | 03/08/10 |

Honorable Tyson A Kamuf  
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