

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BIG RIVERS ELECTRIC)	
CORPORATION FOR APPROVAL TO TRANSFER)	CASE NO.
FUNCTIONAL CONTROL OF ITS TRANSMISSION)	2010-00043
SYSTEM TO MIDWEST INDEPENDENT)	
TRANSMISSION SYSTEM OPERATOR, INC.)	

ORDER

On February 2, 2010, Big Rivers Electric Corporation (“Big Rivers”) filed an application with the Commission requesting authority to transfer functional control of its transmission system, the Midwest Independent Transmission System Operator, Inc. (“MISO”), effective September 1, 2010. The application states that it is being filed pursuant to the Commission’s authority under KRS 278.020(5), 278.020(6), and 278.218.

Based on a review of the application and being otherwise sufficiently advised, the Commission finds that, since Big Rivers is requesting authority to transfer only functional control of its transmission assets, the appropriate statute applicable to an investigation of this transaction is KRS 278.218. The Commission further finds that a procedural schedule should be established for conducting this investigation of Big Rivers’ application.

The Commission expects the parties to use their best efforts to informally resolve any discovery disputes or requests for extensions of time. 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. Big Rivers' application shall be reviewed under KRS 278.218.
2. The procedural schedule set forth in the Appendix to this Order shall be followed in this proceeding.

3. a. All requests for information and responses thereto shall be appropriately bound, tabbed, and indexed and the original and nine 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 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 an original and nine copies with the Commission, with copies to all parties of record.

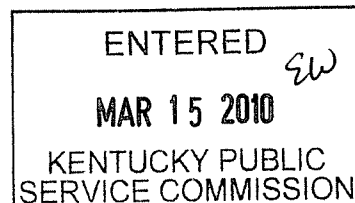
5. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

6. 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.

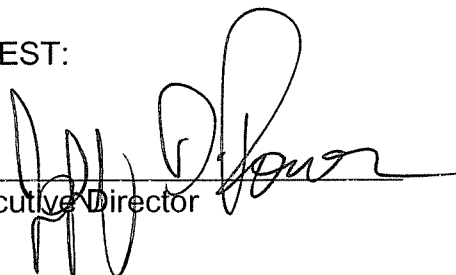
7. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

8. 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. 2010-00043 DATED **MAR 15 2010**

Requests for information to Big Rivers shall be filed no later than.....	03/26/10
Big Rivers shall file responses to requests for information no later than.....	04/07/10
Supplemental requests for information to Big Rivers shall be filed no later than.....	04/19/09
Big Rivers shall file responses to supplemental requests for information no later than.....	04/30/10
Intervenor testimony or comments in lieu of testimony shall be filed no later than.....	05/13/10
Requests for information to Intervenors or Big Rivers' response to any comments shall be filed no later than.....	05/24/10
Intervenors shall file responses to requests for information no later than.....	06/04/10
Last day for Big Rivers to publish notice of hearing.....	To be scheduled
Public Hearing to be held in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, for the purpose of cross-examination of witnesses of Big Rivers and Intervenors.....	To be scheduled

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