

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                                    |   |            |
|------------------------------------|---|------------|
| AN INVESTIGATION OF EAST KENTUCKY  | ) | CASE NO.   |
| POWER COOPERATIVE, INC.'S NEED FOR | ) | 2010-00238 |
| THE SMITH 1 GENERATING FACILITY    | ) |            |

O R D E R

On September 10, 2010, East Kentucky Power Cooperative, Inc. ("EKPC") filed a response to the Commission's September 7, 2010 Order which addressed a motion by all parties requesting that this case be held in abeyance for 60 days. EKPC's response states that in filing the earlier motion to abate, it was not the parties' intent to alter the issues that the Commission had set forth in its June 22, 2010 Order initiating this investigation. To the contrary, EKPC informs that the parties "wish to address head-on each and every issue identified by the Commission, and many more that were not identified, but which are inextricably linked to the construction and placement into service of Smith I CFB, and which must also be addressed by the parties at some time and in some fashion."<sup>1</sup> Accordingly, EKPC requests that the parties be afforded an opportunity to discuss on an informal basis and investigate which disputes can be resolved amongst the parties, subject to the Commission's investigation and authority to conclude the matter on its own terms.

Concerning the filing of its 2010 load forecast and the other information required by the Commission's June 22, 2010 Order, EKPC requests that it be granted a

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<sup>1</sup> East Kentucky Power Cooperative, Inc.'s Response to the Commission's September 7, 2010 Order at ¶ 2.

continuance until November 15, 2010 to file that information. EKPC states that its 2010 load forecast has not yet been completed due to difficulties encountered in developing an accurate and reliable forecast and the need to conclude further validation efforts. As to the other information required by the Commission, EKPC asserts that its responses are dependent upon having an accurate load forecast and accurate cost information for each of the resources being examined. It is EKPC's belief that this other information can also be filed by November 15, 2010, along with its load forecast.

The parties to this proceeding, John Patterson, John Rausch, Wendell Berry, Gallatin Steel, and the Attorney General, have filed responses supporting EKPC's request.

Having reviewed the responses and being otherwise sufficiently advised, the Commission finds good cause to grant EKPC an extension of time to file the information required by our prior Orders. This extension of time will also allow the parties an opportunity to informally discuss the issues subject to this investigation, as well as other related issues. Accordingly, we will revise the Orders entered on June 22, 2010 and September 7, 2010 to allow EKPC until November 15, 2010 to file the information required therein. Once EKPC has filed the required information, the Commission will issue a revised procedural schedule to proceed with the investigation of the issues enumerated in the June 22, 2010 Order.

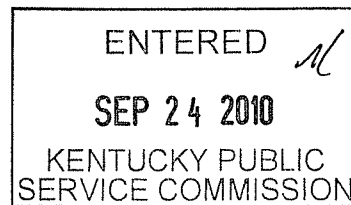
IT IS THEREFORE ORDERED that:

1. The Commission's Orders entered June 22, 2010 and September 7, 2010 are amended to the extent that the procedural dates set forth therein are suspended

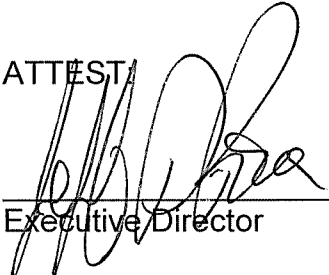
and EKPC's 2010 load forecast and the other information required to be filed by EKPC shall be filed no later than November 15, 2010.

2. A revised procedural schedule shall be issued after EKPC files its 2010 load forecast and the other information required by the Commission's Orders entered on June 22, 2010 and September 7, 2010.

By the Commission



ATTEST

  
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