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Commissioner

September 27, 2011

PARTIES OF RECORD

Re: Case No. 2010-00404
Bulldog's Enterprises, Inc. d/b/a Bulldog's Roadhouse v. Duke Energy Kentucky, Inc.

Attached is a copy of the memorandum which is being filed in the record of the above-referenced case. If you have any comments you would like to make regarding the contents of the informal conference memorandum, please do so within five days of receipt of this letter. If you have any questions, please contact Quang Nguyen, Staff Attorney, at 502-564-3940, Extension 256.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen".


Jeff Derouen
Executive Director

QN/kar

Attachments

INTRA-AGENCY MEMORANDUM
KENTUCKY PUBLIC SERVICE COMMISSION

TO: Case File

FROM: Quang D. Nguyen, Staff Attorney 

DATE: September 27, 2011

RE: Case No. 2010-00404
Bulldog's Enterprises, Inc. d/b/a Bulldog's Roadhouse v. Duke Energy
Kentucky, Inc.

Pursuant to a Commission Staff notice dated September 6, 2011, an informal conference was held at the Commission's offices on September 22, 2011. A list of the attendees is attached hereto.

At the outset, Duke Energy Kentucky, Inc. ("Duke Kentucky") sought clarification from Bulldog's Roadhouse ("Bulldog's") regarding the latter's responses to certain data request items propounded by Duke Kentucky. With respect to the request for production of document No. 3, Bulldog's noted that any recordings of Mr. Eric Deters former radio show is the property of WLW radio station. With respect to the request for production of document No. 5 concerning Bulldog's payroll records for the months of June and July 2010, Duke Kentucky noted that Bulldog's failure to provide a response due to the confidential nature of the documents sought was not appropriate. Duke Kentucky noted that Bulldog's should rather have filed the appropriate response under petition for confidentiality. With respect to the request for production of document No. 6 concerning bill of sales or invoices on or after June 2010, Bulldog's noted that it would need to request such documents from its accountant and would provide same within 30 days.

The parties also provided Commission Staff with a status update of their civil litigation currently pending in Kenton Circuit Court. Lastly, a discussion was had concerning the procedural schedule to be developed for the further processing of this matter. The procedural schedule would include a second round of discovery, an opportunity for the filing of testimonies, and a deadline for requesting an evidentiary hearing. The procedural schedule will be issued as soon as Bulldog's has filed supplemental responses to the aforementioned Duke Kentucky's data requests.

There being no further discussions, the informal conference was adjourned.

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BULLDOG'S ENTERPRISES, INC. D/B/A) CASE NO.
BULLDOG'S ROADHOUSE VS. DUKE ENERGY) 2010-00404
KENTUCKY, INC.)

September 22, 2011

Please sign in:

NAME	REPRESENTING
<u>Quang D. Uyen</u>	<u>PSC - Legal</u>
<u>Charles T. Lester, Jr.</u>	<u>Bulldogs Roadhouse</u>
<u>JOHN SHUPP</u>	<u>PSC - ENG.</u>
<u>David Samford</u>	<u>FBI FBI - on behalf of Duke</u>
<u>Rocco D'Ascenzo</u>	<u>Duke Energy Kentucky</u>
<u>Kristen Cocanougher</u>	<u>Duke Energy Kentucky</u>
<u>Chris Whelan</u>	<u>PSC - Financial Analysis</u>
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