

Mr. Jeff R. Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40601

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PUBLIC SERVICE COMMISSION

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April 15, 2011

RE: In the matter of Louisville Gas and Electric Company Alleged Failure to

Comply with KRS 278.042 and 807 KAR 5:006

Case No. 2011-00097

Dear Mr. Derouen:

Enclosed please find and accept for filing the original and twelve (12) copies of Louisville Gas and Electric Company's Response to the Commission's Order of March 29, 2011 and Motion to Suspend Hearing and Schedule Informal Conference in the above-referenced matter. Please confirm your receipt of same by placing the stamp of your Office with the date received on the two additional copies provided and return them to me in the self-addressed stamped envelope I have provided.

Should you require anything further, please contact me at your convenience.

Sincerely,

Allyson K. Sturgeon

AKS/kcg

## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

Tm	tho	Matter	r of
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LOUISVILLE GAS AND ELECTRIC COMPANY	)	
	)	CASE NO. 2011-00097
	)	
	)	
ALLEGED FAILURE TO COMPLY		
WITH KRS 278.042 and 807 KAR 5:006, Sec.	24(1)	

## RESPONSE OF LOUISVILLE GAS AND ELECTRIC COMPANY TO THE COMMISSION'S ORDER OF MARCH 29, 2011 AND MOTION TO SUSPEND HEARING AND SCHEDULE INFORMAL CONFERENCE

On March 29, 2011, the Kentucky Public Service Commission ("Commission") issued an Order directing Louisville Gas and Electric Company ("LG&E") to file a written response to the allegations contained in the Electric Utility Personal Injury Incident Report ("Report") prepared by the Commission Staff dated December 17, 2010. For its Response to the Commission's Order, LG&E states as follows:

- 1) LG&E admits the information contained in the sections of the Report titled "Utility," "Reported By," "Incident Occurred," "Utility Notified," "PSC Notified," "PSC Investigated," "Report Received," "Incident Location" and "KPSC Investigator" are accurate.
- 2) LG&E admits the information contained in the section of the Report titled "Incident Description" is accurate to the extent it summarizes the events leading up to the incident but affirmatively states Mr. Willis was in fact wearing proper personal protective equipment ("PPE") for the job he was performing. Mr. Willis has eight years of experience working in a substation,

was made aware the transformer was energized and accordingly knew or should have known the buss-side plug was energized and the cleaning of same would have required additional PPE.

3) LG&E admits that the information contained in the sections of that Report titled "Victim," "Witnesses" and "Information From" are accurate.

4) With regard to the section of the Report titled "Probable Violation" LG&E denies that it committed any willful violation of KRS 278.042, 807 KAR 5:006 or the National Electric Safety Code.

**NOW THEREFORE,** LG&E requests that this case be dismissed or, in the alternative, that the hearing date set for August 16, 2011 be suspended and that an informal conference be scheduled with the Commission Staff for the purposes of discussing settlement and expediting resolution of this proceeding. LG&E's willingness to discuss settlement is not, and should not be construed as, an admission of liability or fault on its part.

Dated: April 15, 2011

Respectfully Submitted,

Allyson K. Sturgeon

Senior Corporate Attorney

Louisville Gas and Electric Company

220 West Main Street Louisville, KY 40202

(502) 627-2088

Counsel for Louisville Gas and Electric Company

## **CERTIFICATE OF SERVICE**

I hereby certify a true and accurate copy of the foregoing was sent via U.S. First Class mail to the below person on the 15<sup>th</sup> day of April, 2011.

Rick Bertleson Staff Counsel Kentucky Public Service Commission 211 Sower Blvd. Frankfort, KY 40601

LLYSON K. STURGEON