

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

STEVEN L. MILES)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2012-00311
MEADE COUNTY RURAL ELECTRIC COOPERATIVE CORPORATION)	
)	
DEFENDANT)	

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO
MEADE COUNTY RURAL ELECTRIC COOPERATIVE CORPORATION

Meade County Rural Electric Cooperative Corporation ("Meade County"), pursuant to 807 KAR 5:001, is to file with the Commission the original and ten copies of the following information, with a copy to all parties of record. The information requested herein is due no later than 14 days from the date of issuance of this request. Responses to requests for information shall be appropriately bound, tabbed, and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

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.

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

Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

1. When did Complainant, Steven L. Miles, first contact Meade County about the failure to get steady electrical current?
2. Identify any and all contacts Meade County has had with Complainant since the first contact concerning his failure to get steady electrical current.
3. Meade County's July 26, 2012 response to the Commission's July 18, 2012 Order does not indicate that the document was served on Complainant.
 - a. If the document was served on Complainant, indicate the date it was served and provide a certificate of service.
 - b. If the document was not served on Complainant, indicate why.
4. Complainant's complaint alleges that he has been in contact with an electrical engineer from "RECC several times" since February 2012 and "to current date

nothing has been resolved.” Does Meade County contend that it has provided service to Complainant in conformance with 807 KAR 5:041?

5. The letter dated August 7, 2012 from counsel for Meade County to the Commission’s Executive Director states that representatives of Meade County met with representatives of Hilltop Companies (“Hilltop”) on August 3, 2012 and that Meade County and Hilltop agreed to concurrent testing “in order to isolate the problem(s) and determine a solution to these problem(s) with the engineers establishing a protocol regarding the testing and the time frame for said testing.” The letter further stated that the protocol would be established within ten days of the August 3, 2012 meeting date and that when the protocol is established, the Commission and the Complainant would be notified. Following the text of the letter, a “cc” indicated that a copy of the letter was to be sent to Complainant. In addition to a copy of the August 7, 2012 letter, what contact, if any, has Meade County had with Complainant regarding the August 3, 2012 meeting with Hilltop?

6. Refer to Meade County’s July 26, 2012 filing with the Commission (a copy of which is attached hereto), which contained a letter to Commission’s Executive Director dated July 24, 2012, and a copy of a June 13, 2012 letter from Thomas C. Brite to John Morgan, Hilltop Companies (“Hilltop”). At page 2, the June 13, 2012 letter stated, “[i]f this issue is not resolved to our satisfaction by August 1, 2012, we plan to mail to you the ten day notice letter terminating service to Hilltop.”

a. What was the basis of Meade County’s belief, as expressed in its letter of June 13, 2012, that Hilltop’s equipment was the cause of the flickering situation experienced by Meade County’s residential customers?

b. What was the basis for Meade County's decision, as expressed in its letter of August 7, 2012, that concurrent testing was needed to isolate the problem(s) and determine a solution?

c. Does Meade County believe that the flickering experienced by its residential customers is a result of anything other than Hilltop's equipment? If yes, explain the basis for Meade County's belief.

d. Did Hilltop resolve the issue to Meade County's satisfaction by August 1, 2012?

(1) If yes, how was the issue resolved?

(2) If no, did Meade County mail to Hilltop a ten day notice letter terminating service to Hilltop?

(i) If yes, provide a copy of the letter.

(ii) If no, state why Meade County did not mail to Hilltop a ten day notice letter terminating service to Hilltop.

7. What is the voltage of the electric service provided to Complainant?

a. Is the Complainant's service single phase?

b. If yes, which phase serves the Complainant?

8. What is the voltage of the electric service that is provided to Hilltop?

a. Is Hilltop's service three phase?

b. Is the Hilltop service primary metered?

9. Is the electric service provided to Hilltop fed by a substation that is exclusive to Hilltop?

a. If yes, what is the primary side voltage, if different than above?

- b. If yes, what is the secondary voltage?
- 10. Is the Hilltop electric load fairly constant during a work day, or does it tend to be intermittent or fluctuating?
- 11. Refer to Meade County's Answer filed August 21, 2012. The Answer at page 1 under the heading "Third Defense" states, "Meade and Hilltop Big Bend Quarries, LLC (Hilltop) are conducting concurrent testing in order to determine whether problem(s) exist concerning this complainant."
 - a. When did Meade County commence testing in order to determine whether problems exist concerning Complainant's Complaint?
 - b. When did Hilltop commence testing in order to determine whether problems exist concerning Complainant's Complaint?
 - c. Based on the testing conducted by either Meade County or Hilltop, does a light flickering problem exist with regard to Complainant's electric service?
- 12. What is the average monthly MW or kW load for:
 - a. The Hilltop load; and
 - b. Complainant's load?
- 13. What is the average monthly percent power factor for:
 - a. The Hilltop load; and
 - b. Complainant's load?
- 14. What is the average monthly percent voltage at:
 - a. The Hilltop load; and
 - b. Complainant's load?
- 15. Does the same feeder serve the load to Hilltop and Complainant?

16. Does the same feeder serve the load to Hilltop, Complainant, and the Complainants in Case Nos. 2012-00310¹ and 2012-00312?²

17. What is the distance of the distribution line from the substation serving Hilltop to the Hilltop service drop?

18. What is the distance of the distribution line from the substation serving Complainant and the Complainant's service drop?



Jeff Derouen
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

DATED SEP 07 2012

cc: Parties of Record

¹ Case No. 2012-00310, Mona Corrin Jarboe v. Meade County Rural Electric Cooperative Corporation, filed June 27, 2012 (Ky. PSC Jun. 27, 2012).

² Case No. 2012-00312, David Ballantine Bell v. Meade County Rural Electric Cooperative Corporation, filed July 6, 2012 (Ky. PSC Jun. 27, 2012).

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2012-00311 DATED SEP 07 2012

BRITE & HOPKINS, PLLC
ATTORNEYS AT LAW
83 BALLPARK ROAD, P.O. BOX 309
HARDINSBURG, KENTUCKY 40143-0309
PHONE (270) 756-2184, FAX (270) 756-1214

RECEIVED

JUL 26 2012

PUBLIC SERVICE
COMMISSION

THOMAS C. BRITE
e-mail: tbrite@bbtel.com

STEPHEN G. HOPKINS
e-mail: shopkins@bbtel.com

July 24, 2012

Jeff Derouen
Executive Director
Commonwealth of Kentucky
Public Service Commission
P.O. Box 615
Frankfort, Kentucky 40602-0615

RE: Case No. 2012-00310
Case No. 2012-00311 &
Case No. 2012-00312

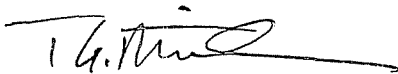
Dear Mr. Derouen:

Please be advised that on behalf of Meade County RECC, I have forwarded a copy of the letter dated July 13, 2012 to John Morgan, Vice President of Hilltop Companies. A copy of this letter was forwarded to you as Executive Director of the PSC.

Meade County Rural Electric Cooperative Corporation received an Order entered July 18, 2012 requesting that Meade County RECC respond to the complaint within ten days of the service of said Order.

If Meade County needs to respond other than the July 13, 2012 letter (copy attached herein), please notify me accordingly, I am,

Yours very truly,



THOMAS C. BRITE

TCB: bep

Enclosure

cc: Mr. Burns Mercer, President
Meade County RECC
P.O. Box 489
Brandenburg, Kentucky 40108

RECEIVED

JUL 26 2012
PUBLIC SERVICE
COMMISSION

BRITE & HOPKINS, PLLC
ATTORNEYS AT LAW
83 BALLPARK ROAD, P.O. BOX 309
HARDINSBURG, KENTUCKY 40143-0309
PHONE (270) 756-2184, FAX (270) 756-1214

COPY

THOMAS C. BRITE
e-mail: tbrite@bbtel.com

STEPHEN G. HOPKINS
e-mail: shopkins@bbtel.com

July 13, 2012

John Morgan
Hilltop Companies
Vice President-Mining Operations
One West Fourth Street
Suite 1100
Cincinnati, Ohio 45202-3610

RE: Hilltop Quarry Electrical Disturbances

Dear Mr. Morgan:

Please be advised that this firm represents the Meade County RECC.

Mr. David Poe has discussed with me a problem which exists and which he informs me you and your agents are aware. Mr. Poe indicated that representatives of Hilltop had a conference with Meade County RECC in our offices on April 27th where it was stated that Hilltop would conduct further tests and monitor the situation to pinpoint the equipment causing the problem. According to Mr. Poe, Hilltop has never denied that the flickering situation of which our residential customers are complaining has not been caused by Hilltop's operations. This has been confirmed by our consultant, Roger Wilson, who installed two power logging devices in the area over a four – five day period and Meade County also installed a voltage logger and monitor voltage logger for several more days thereafter to verify the problem(s). A copy of three (3) complaints filed to date with the Kentucky Public Service Commission, being Case No. 2012-00310, 2012-00311 and 2012-00312 are included with this letter.

We have reviewed the applicable Kentucky Administrative Regulations and the Agreement for Retail Electric Service dated April 6, 1999 regarding the termination of electrical service with an attorney at the Kentucky Public Service Commission. We agree that Meade County RECC must give you reasonable effort to correct the problem that exists, then if you fail to comply after ten days notice, we can terminate your service.

Mr. John Morgan
Page 2
July 13, 2012

If this issue is not resolved to our satisfaction by August 1, 2012, we plan to mail to you the 10 day notice letter terminating service to Hilltop.

A copy of this letter is being furnished the Kentucky Public Service Commission to advise the Commission of Meade County RECC's response to the above-mentioned complaints of our customer/members.

Yours very truly,

THOMAS C. BRITE

TCB: bep/lsw

cc: Mr. Burns Mercer, President
Meade County RECC
P.O. Box 489
Brandenburg, Kentucky 40108

Jeff Derouen
Executive Director
Commonwealth of Kentucky
Public Service Commission
P. O. Box 615
Frankfort, Kentucky 40602-0615

Honorable Thomas C Brite
Attorney At Law
Brite & Hopkins, PLLC
83 Ballpark Road
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Hardinsburg, KENTUCKY 40143

Burns E Mercer
President & CEO
Meade County R.E.C.C.
P. O. Box 489
Brandenburg, KY 40108-0489

Steven L Miles
6750 Big Bend Road
Battletown, KENTUCKY 40104