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September 20, 2012

RECEIVED

SEP 21 2012

PUBLIC SERVICE  
COMMISSION

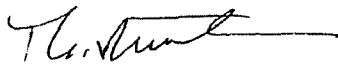
Mr. Jeff Derouen  
Executive Director  
Commonwealth of Kentucky  
Kentucky Public Service Commission  
PO Box 615  
Frankfort, KY 40602-0615

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

Dear Mr. Derouen:

Enclosed please find the original and ten copies of Meade County Rural Electric Cooperative Corporation's Response to the First Request for Information from the Commissioner's staff in the above-styled cases.

Respectfully submitted,



Thomas C. Brite  
Attorney for Meade County RECC

tcb/svh

enclosure

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

**CASE NO. 2012-00312**

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COMMISSION**



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Certificate of Service - page 24



COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DAVID BALLANTINE BELL	)	
	)	
COMPLAINANT	)	
	)	
V.	)	CASE NO.
	)	2012-00312
MEADE COUNTY RURAL ELECTRIC	)	
COOPERATIVE CORPORATION	)	
	)	
DEFENDANT	)	

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

Comes Meade County Rural Electric Cooperative Corporation, by  
Counsel, and file its response to the information requested dated September 7,  
2012 in the about styled case before the Commission.

**MEADE COUNTY RURAL ELECTRIC COOP. CORP.  
RESPONSE OF MEADE COUNTY RECC  
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Question 1.) When did Complainant, David Ballantine Bell, first contact Meade County about an erratic supply of electricity?

Response 1.) January 19, 2012

Witness) David Poe

**MEADE COUNTY RURAL ELECTRIC COOP. CORP.  
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Question 2.) What response did Meade County provide Complainant?

Response 2.) A service crew examined the lines searching for things that can cause a distribution line to have blinking power. The crew also checked service connections at the account. Nothing was found anywhere.

Witness) David Poe



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Question 3.) Complainant alleges that he has spoken with representatives of Meade County “nearly 25 times” concerning the problems with his electricity in the three to four months that the problem has continued. Identify any and all contacts Meade county has had with the Complainant since the first contact concerning his erratic supply of electricity.

Response 3.) Mr. Bell contacted MCRECC’s office personnel and/or myself numerous times during the year. In the beginning, most calls and contacts were logged, but those beyond April were not. By that time, I had already established a business relationship with Mr. Bell and called on him repeatedly myself; sometimes by phone and others in person. We do not dispute his assertion he has contacted us “nearly 25 times.”

Witness) David Poe

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Question 4.) Complainant's complaint alleges that he spoke with a "Mr. Poe (RECC)." Describe the capacity in which Mr. Poe is employed and the duties of Mr. Poe.

Response 4.) David R. Poe, P. E. is the Vice-President of Engineering and Operations for Meade County RECC. His duties include the direction of the engineering department which includes formulating work plans, system design, information technologies, load forecasting and studies, and system trouble-shooting. It also includes overseeing the Cooperative's operations department which entails new construction and maintenance of the distribution system, the Cooperative's safety program, warehousing and materials, and power restoration.

Witness) David Poe

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Question 5.) 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 serviced 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.

Response 5a.) By letter dated July 24, 2012, complainant was mailed a letter with a copy of the Hilltop letter dated July 13, 2012. A copy of the July 24, 2012 letter to complainant is attached hereto and marked "Exhibit 1".

Response 5b.) See answer 5a.

Witness) Thomas Brite

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Question 6.) Does Meade County contend that it has provided service to Complainant in conformance with 807 KAR 5:041?

Response 6.) Until Meade County received Commission's Order of August 10, 2012 indicating that Meade County had failed to address all allegations in the complaint and requested that we file a Supplemental Response which was filed on August 17, 2012, Meade County had attempted to keep complainant informed by letter and personal contact/telephone calls. The Answer/Supplemental Response filed on August 17, 2012 was served on complainant as indicated.

Witness) Thomas Brite

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Question 7.) 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 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?

Response 7.) I have had numerous telephone conversations since February with Mr. Bell. During the latest conversations, I mentioned that Hilltop and MCRECC had met and agreed to conduct further monitoring in an attempt to pinpoint the source of the disturbance.

Witness) David Poe

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Question 8.) Refer to Meade County's July 26, 2012 filing with the Commission (a copy of which is attached hereto), which contained a letter to the 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 10 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 ye, how was this issue resolved?
  - (2) If no, did Meade County mail to Hilltop a 10 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 10 day notice letter terminating service to Hilltop.

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Response 8a.) Hilltop Quarry upgraded its facility in December 2011. Complaints from nearby members began in January 2012. Meade County RECC first checked the lines and services, not knowing the issue was due to Hilltop's operations. MCRECC then began downline monitoring using voltage recorders in early February. The high flicker levels coincided with the hours of Hilltop's operation.

Response 8b.) MCRECC was satisfied that Hilltop's operations were the source of the problem; however, Hilltop was not and insisted on concurrent monitoring.

Response 8c.) No

Response 8d.) No

Witness: David Poe

Response 8d(ii). In a letter from Douglas Brent, who is counsel for Hilltop Basic Resources, Inc., he implied any interruption of power would immediately and irreparably damage Hilltop. His letter also requested concurrent testing to help determine the cause of the disturbance to the complainants. His letter also indicated a willingness to do further testing to "isolate any problems, determine a solution and apportion responsibility." After repeated efforts to obtain a working relationship with Hilltop to resolve the problems of the complainants, the Brent letter indicated willingness of Hilltop to cooperate and we agreed that would be in the best interest of all parties.

Witness) Thomas Brite

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Question 9.) 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?

Response 9.) 120/240 Volt Service

Response 9a.) Yes

Response 9b) B phase

Witness) David Poe



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Question 10.) What is the voltage of the electric service that is provided to Hilltop?

- a.) Is Hilltop's service three phase?
- b.) Is Hilltop service primary metered?

Response 10.) Hilltop is served and metered at the high voltage distribution level of 7.2/12.47 KV.  
However, multiple transformer banks serve their loads at the 277/480 Volt level.

Response 10a.)        Yes

Response 10b.)        Yes

Witness)        David Poe

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Question 11.) 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.) What is the secondary voltage?

Response 11.) No

Response 11a) N/A

Response 11b.) N/A

Witness: David Poe

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Question 12.) Is the Hilltop electric load fairly constant during a work day, or does it tend to be intermittent, or fluctuating?

Response 12.) It fluctuates.

Witness) David Poe

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Question 13.) 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?

Response 13a.) The monitoring equipment was installed on September 5, 2012

Response 13b.) It was also installed on September 5, 2012

Response 13c.) In our opinion, yes. However, based upon testing performed since September 5, 2012, Hilltop has not confirmed or denied it at this time.

Witness: David Poe

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Question 14.) What is the average monthly MW or kW load for:

- a.) The Hilltop load; and
- b.) Complainant's load?

Response 14a.)        1335 KW over the last 5 months

Response 14b.)        6.7 KW since 1/1/12

Witness:        David Poe

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Question 15) What is the average monthly percent power factor for:

- a.) The Hilltop load; and
- b.) Complainant's load?

Response 15a.) The power factor is not available

Response 15b.) The power factor is not available

Witness) David Poe

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Question 16.) What is the average monthly percent voltage at:

- a.) The Hilltop load; and
- b.) Complainant's load?

Response 16a.)        The monthly percent voltage is not available

Response 16b.)        The monthly percent voltage is not available

Witness)        David Poe

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Question 17.) Does the same feeder serve the load to Hilltop and Complainant?

Response 17.) Yes

Witness) David Poe



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Question 18.) Does the same feeder serve the load to Hilltop, Complainant, and the Complainants in Case Nos. 2012-00310 and 2012-00311?

Response 18.) Yes

Witness) David Poe

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Question 19.) What is the distance of the distribution line from the substation serving Hilltop to the Hilltop service drop?

Response 19.) 4.5 miles

Witness) David Poe

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2 Question 20.) What is the distance of the distribution line from the substation serving Complainant  
3 and the Complainant's service drop?

4

5 Response 20.) 8.0 miles

6

7 Witness: David Poe

8



**BRITE & HOPKINS, PLLC**  
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STEPHEN G. HOPKINS  
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July 24, 2012

David B. Bell  
5615 Big Bend Road  
Battletown, Kentucky 40104

RE: Case No. 2012-00312

Dear Mr. Bell:

Enclosed is a copy of a letter that I mailed to Hilltop Companies on July 13, 2012.

As you will note a copy of this letter was forwarded to the Kentucky Public Service Commission with a copy of your complaint filed with the Commission. Meade County RECC is waiting for a response from the quarry.

Yours very truly,

THOMAS C. BRITE

TCB: bep

Enclosure

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



CERTIFICATE OF SERVICE

The undersigned as Attorney for Meade County Rural Electric Cooperative Corporation does hereby certify that he supervised the foregoing response which is true and correct to the best of his knowledge and belief and that the original and ten (10) copies of this response was mailed to Jeff Derrouen, PSC Executive Director, P.O. Box 615, Frankfort, KY 40602, and one (1) copy David Ballantine Bell, 5615 Big Bend Rd., Battletown, KY 40104, this 20<sup>th</sup> day of September 2012.



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Thomas C. Brite  
Attorney for Meade County Rural  
Electric Cooperative Corporation