

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MICHAEL MONROE TIPTON)

COMPLAINANT)

V.)

CLARK ENERGY COOPERATIVE, INC.)

DEFENDANT)

RECEIVED

SEP 09 2013

PUBLIC SERVICE
COMMISSION

CASE NO.

2013-00317

COOPERATIVE'S ANSWER TO COMPLAINT

Comes Clark Energy Cooperative, Inc. ("Clark"), the defendant herein, by and through counsel, and, in response to the complainant's allegations outlined in his August 6, 2013, complaint and in compliance with the Commission's Order entered herein on August 30, 2013, to satisfy or answer the complaint, respectfully submits this response.

First, with respect to the complainant's informal complaint (2013-01365) that precipitated his formal complaint, referenced in the narrative attached to his formal complaint, Clark states that while it would take issue with the complainant's characterization of his outages as "chronic", Clark nevertheless has corrected the problem by storm hardening the tap feeding his home by adding poles in a long span that was the culprit in the 2009 ice storm that caused an extended outage for the complainant. In fact, even prior to receiving the complainant's petition for a

boundary change, Clark had completed the engineering of a replacement line to better serve the three homes affected. (It should be noted that, prior to receiving said petition, Clark did not receive any other communication from the complainant about his purported reliability concerns or his contact with Representative Henderson, Kentucky Utilities, or the Commission.) The storm hardening work was completed by Clark's line contractors on September 5, 2013. Therefore, to the extent that the complainant's true issue with Clark's service is reliability, Clark has provided relief to the complainant by correcting the problem and thus has satisfied the complaint.

However, to the extent the complainant's true issue is that he desires that Clark cede its service territory to another utility, Clark respectfully states that it does not intend to do so. The basis for the establishment of territorial boundaries among utilities remains sound, and it is not in the best interest of the greater membership of Clark, a non-profit Kentucky cooperative corporation, to cede any of its service territory.

WHEREFORE, Clark Energy Cooperative, Inc. respectfully requests the following:

- 1) That, insofar as this matter concerns the issue of reliability of electric service by the defendant to the complainant, the Commission not take further proceedings as the defendant has satisfied the complaint; and

2) That, insofar as this matter concerns the complainant's desire to choose his electric service provider, the Commission set this matter for further informal proceedings at the convenience of the Commission.

DATED: This 9th day of September, 2013.

Respectfully submitted,

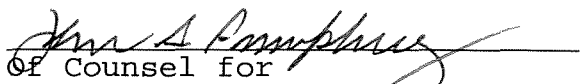
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By: 
John S. Pumphrey

ATTORNEYS FOR
CLARK ENERGY COOPERATIVE, INC.

CERTIFICATE OF SERVICE

This is to certify that the foregoing Answer has been served upon the complainant by mailing a true copy of same to 3111 Maysville Road, Mount Sterling, Kentucky 40353, and upon the Commission by hand-delivering the original and ten (10) copies to the Public Service Commission, 211 Sower Boulevard, Post Office Box 615, Frankfort, Kentucky 40602-0615, on this 9th day of September, 2013.


Of Counsel for
Clark Energy Cooperative, Inc.