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COMMONWEALTH OF KENTUCKY

JUL 1 2 2011

BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES COMPANY)FOR CERTIFICATES OF PUBLIC CONVENIENCE AND)NECESSITY AND APPROVAL OF ITS 2011 COMPLIANCE)PLAN FOR RECOVERY BY ENVIRONMENTAL SURCHARGE)

CASE NO. 2011-00161

REPLY TO RESPONSE OF KENTUCKY UTILITIES COMPANY TO THE MOTION TO INTERVENE OF BENJAMIN J. LOOKOFSKY

Comes Benjamin J. Lookofsky, as a customer of Kentucky Utilities Company in Lexington, Kentucky, and in reply to the Response filed by this individual's Motion to intervene in the application for a rate increase replies as follows:

In the Response filed by Kentucky Utilities Company in paragraph 1, which states, "The Commission Should Deny Mr. Lookofsky's Motion to Intervene Because Mr. Lookofsky Does Not Have a Special Interest in This Proceeding," is factious to say the least. I am a customer of Kentucky Utilities Company, and as such I am subject to the rate increase and it affects my disposable income in a very significant way.

I am attaching as an exhibit to my reply a Notice that appeared in the May 25, 2011 edition of the Lexington Herald-Leader, and specifically the last paragraph which states, "Any cooperation, association, body politic or **PERSON** may, by motion within thirty (30) days after publication, request leave to intervene....

The Notice does not state that you must meet some pre-conditions before you can intervene. It does not state that the prospective intervener must be able to identify any issues or develop any facts that would assist the Commission, nor does it say we must meet the criteria set out in 807 KAR 5:001, Section 3(8), in order to be allowed to intervene.

It is the position of this intervener that Kentucky Utilities Company was waived any such pre-conditions or criteria as set out in the above KAR by failing to put same in the Notice.

The Response of Kentucky Utilities goes on to say that, for whatever reason, my intervention would unduly complicate and disrupt the proceeding. This is totally factious, in that I am not sure how I could complicate or disrupt the hearing.

I have been practicing law for 46 years and have never been accused of complicating or disrupting any hearing whatsoever.

The Response states that the Attorney General has "significant experience in representing rate payer's interest in ECR proceedings, including prior KU cases." While this prospective intervener does not deny that the Attorney General has significant experience in representing rate payer's interests. I would argue as to whether or not the Attorney General **REALLY** represents rate payer's interests, given the fact a conflict exists between the Attorney General and the utility companies he is supposed to be in an adversarial position with, by accepting campaign donations in large amounts from the utilities companies he is supposed to be in said position with.

Counsel for Kentucky Utilities, as well as the Attorney General, that in private practice that this relationship would not be allowed to exist.

BENJAMIN J. LOOKOFSKY 269 W. Main Street, Suite 400 Lexington, KY 40507 (859) 288-0323/Fax: (859) 253-0086 <u>benlook@vci.net</u>

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the forgoing Motion was sent, via First

Class U.S. Mail, postage prepaid, on this the ____/ day of July, 2011, to:

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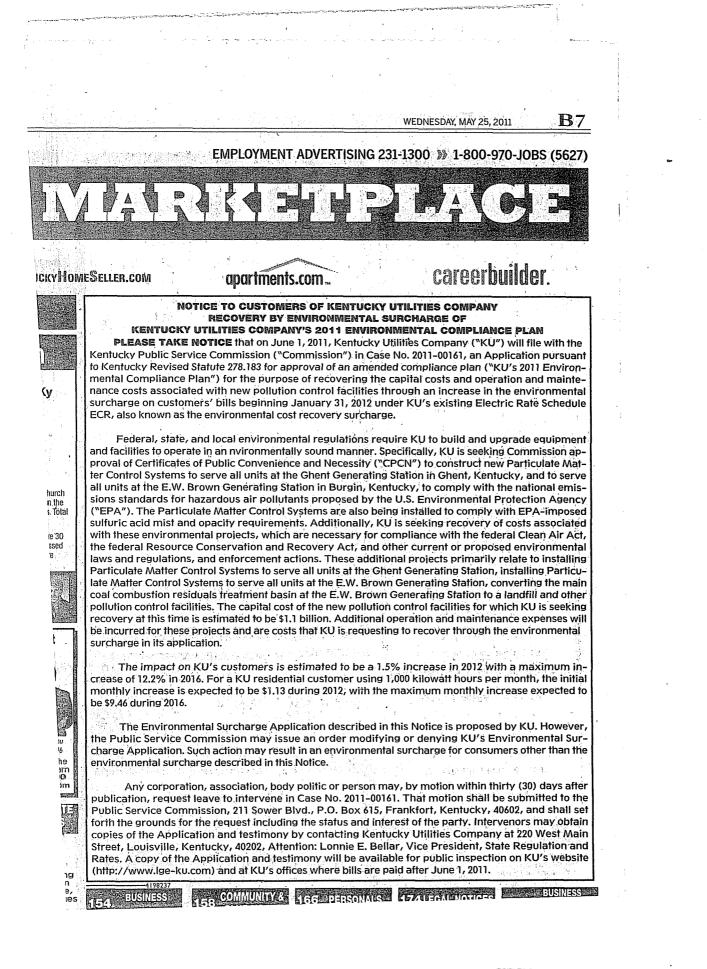
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ĠENJAMIŊJ. LOOKOFSKŸ



EXHIBIT