

August 8, 2012

VIA FIRST CLASS U.S. MAIL

RECEIVED

To: Mr. Jeff DeRoun  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40601

From: Thomas J. Gerstle  
2309 Clarkwood Road  
Louisville, KY 40207

AUG 13 2012  
PUBLIC SERVICE  
COMMISSION

RE: Application of Louisville Gas & Electric Company for an Adjustment of its Electric and Gas Rates, a Certificate of Public Convenience and Necessity, Approval of Ownership of Gas Service Lines and Risers, and a Gas Line Surcharge  
Case No. 2012-00222

Dr. Mr. DeRouen:

Attached to this transmittal letter is my rebuttal to the Louisville Gas & Electric Company's Objection to Thomas Gerstle's Motion to Intervene in the referenced case. In accordance with Ordering Paragraph 10 of the Commission's June 22, 2012 Order in this case, I am filing my response to LG&E's objection with the Commission office today. Please note that I have not previously been provided electronic filing information, and am thus sending this rebuttal in paper medium only.

I wish to be served with filed testimony, exhibits, pleadings, correspondence and all other documents submitted by parties, and to be certified as a party for the purposes of receiving service of any petition for rehearing or petition for judicial review, thus I am submitting a written request for full intervention.

Please note that I mailed my original Request to Intervene in this case on July 26, 2012 (received by the Public Service Commission on July 30, 2012), of which a duly received copy is attached. Please contact me directly to advise if I have not fully complied with all timeframe, procedures and processes necessary to qualify my Request to Intervene.

Sincerely,



Thomas J. Gerstle  
2309 Clarkwood Road  
Louisville, KY 40207  
(502) 365-5190

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

**APPLICATION OF LOUISVILLE GAS AND  
ELECTRIC COMPANY FOR AN  
ADJUSTMENT OF ITS ELECTRIC AND GAS  
RATES, A CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY  
APPROVAL OF OWNERSHIP OF GAS  
SERVICE LINES AND RISERS, AND A GAS  
LINE SURCHARGE.**

**Thomas J. Gerstle's rebuttal to:**

**LOUISVILLE GAS AND ELECTRIC COMPANY'S OBJECTION TO THOMAS  
GERSTLE'S MOTION TO INTERVENE**

Thomas J. Gerstle respectfully requests that the Commission allow the Motion of Thomas Gerstle for Intervention in this case. Mr. Gerstle's motion should be allowed for three reasons: (1) Mr. Gerstle has a special interest in the proceeding that is not adequately represented by the Attorney General and there are potential conflicts of interest with LG&E's counsel; (2) Mr. Gerstle Has Unique Pertinent Knowledge and Skills to Present Issues and Develop Facts that Would Assist the Commission in this case; and (3) Mr. Gerstle's Intervention Would Not Complicate or Disrupt the Proceeding.

**I. The Commission Should Allow Mr. Gerstle's Motion to Intervene Because Mr. Gerstle Does Have a Special Interest in this Proceeding that is Not Adequately Represented by the Attorney General.**

Natural gas and electricity are essential to Mr. Gerstle's life and those of his family. The costs and availability of these utilities have a significant impact upon his family's collective personal finances, education and professional functioning, the details and magnitude of which are not known or adequately represented by the Attorney General. In addition, Mr. Gerstle has recently expended significant financial resources on the interior and exterior of his personal residence and specifically does not wish to relinquish ownership rights to his gas line and riser for reasons that are very important. Mr. Gerstle paid for the gas lines and risers on his property and the significant property improvements above and around them. He opposes transfer of ownership of these gas lines and riser assets to LG&E or any other party, knowing that loss of control of these assets will jeopardize the safety, functionality and beauty of his personal residence. The Attorney General has no specific knowledge of Mr. Gerstle's improvements and thus will not adequately represent his interests in such. Intervention should be allowed to Mr. Gerstle based upon his ownership of the gas line and riser assets of which LG&E proposes to

take ownership. Upon intervention, Mr. Gerstle will present issues and develop facts supporting these issues for due consideration by the Commission. Mr. Gerstle believes that the Commission deserves to consider these special interests, facts and perspectives before rendering a decision on this case.

**II. The Commission Should Allow Mr. Gerstle's Motion to Intervene Because Mr. Gerstle Has Unique Pertinent Knowledge and Skills and Will Present Issues and Develop Facts that Would Assist the Commission.**

Mr. Gerstle has undergraduate and graduate degrees in accounting and business administration and is the CEO of a significant business headquartered in the Louisville area, and thus possesses the necessary financial skills and legal experiences to efficiently contribute to the proceedings without undue complication or disruption. Mr. Gerstle's business experience includes providing rail logistical services to coal powered utility facilities in the United States, thus giving him unique knowledge and experience in the matters of this case, including ratemaking and gas safety. Also, Mr. Gerstle has access to LG&E and industry safety violation data which have resulted in loss of property and worse, which gives him grave concerns about the prospects of LG&E owning gas lines and risers on his personal residence. LG&E's December 6, 2011 natural gas explosion in Louisville provides sufficient concerns regarding the adequacy of their safety processes and procedures.

These facts demonstrate and establish that Mr. Gerstle has unique abilities and perspectives that should be heard by the Commission in preparation for their decisions in this case.

**III. The Commission Should Allow Mr. Gerstle's Motion to Intervene Because Mr. Gerstle's Intervention Would Not Complicate or Disrupt the Proceeding.**

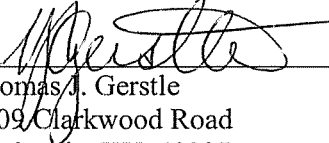
Mr. Gerstle is an efficient, busy, professional person and would not complicate and disrupt the Commission's important proceedings. Mr. Gerstle has been involved in many professional and community proceedings over his 40+ year professional career, including volunteer service to Greater Louisville Inc. as past-Chairman of their Logistics Network.

**IV. Conclusion**

Mr. Gerstle has demonstrated adequate grounds upon which the Commission can grant permissive intervention. His desire, unique competence and special interests as summarized in this rebuttal to LG&E's objection to his motion serves as adequate basis for the Commission to accept his motion to intervene in this proceeding. Mr. Gerstle wishes to be served with filed testimony, exhibits, pleadings, correspondence and all other documents submitted by parties, and to be certified as a party for the purposes of receiving service of any petition for rehearing or petition for judicial review, and thus requests full intervention in this case.

Dated: August 8, 2012

Respectfully submitted,

  
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Thomas J. Gerstle  
2309 Clarkwood Road  
Louisville, KY 40207  
Telephone (502) 365-5190

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Robert M. Watt III  
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300 West Vine Street, Suite 2100  
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Counsel for Louisville Gas and Electric Company

**CERTIFICATE OF COMPLIANCE**

In accordance with Ordering Paragraph No. 10 of the Commission's June 22, 2012 Order in this case, this is to certify that this response is being filed with the Commission in paper medium, and not electronic form, since no electronic filing instructions were previously provided. Rebuttal to Objection was placed in the U.S. Mail, postage prepaid, on August 8, 2012 to be delivered to the Commission. A paper copy of the Rebuttal to Objection has also been sent via U.S. Mail to Kendrick Riggs (SKO-Louisville, KY), Allyson Sturgeon (LG&E), and Robert M. Watt III (SKO-Lexington, KY) on August 8, 2012.

2012-00272

**Thomas J. Gerstle**

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RECEIVED

JUL 30 2012

PUBLIC SERVICE  
COMMISSION

July 26, 2012

Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, KY 40601

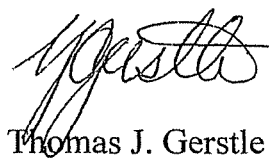
Request to Intervene on Louisville Gas & Electric Company's June 29, 2012 Request for a Certificate of Public Convenience and Necessity for its proposed Gas Line Program

Dear Sirs,

I am writing to ask you to deny LG&E's request to convert ownership of my gas service line and riser to them. I have recently replaced my service line and riser and do not need LG&E to assume ownership. Also, since this service line and riser are on my private property, I do not want LG&E to own these assets. Correspondingly, please deny LG&E the right to charge me for unneeded maintenance or replacement of these assets. The rate increases affiliated with this program are unnecessary and unfair. The charges for this program would put a heavy financial burden on my family and the families around me.

If you need any further input, do not hesitate to contact me. Thank you for your assistance.

Sincerely,



Thomas J. Gerstle