

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LADONNA LEE AINES AND)	
DAVID LAWRENCE PALMERTON)	
)	
COMPLAINANTS)	
)	
v.)	CASE NO. 96-486
)	
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

O R D E R

On October 8, 1996, Ladonna Lee Aines filed a complaint against Kentucky Utilities Company ("KU") concerning KU's construction of a substation in Harbor Village Subdivision in Scott County. Her property is located directly behind the substation site. On November 13, 1996, David Lawrence Palmerton also filed a complaint against KU concerning the same matter. His property is located adjacent to the substation site. Neither Ms. Aines nor Mr. Palmerton wanted the substation to be built at that location. The complaints were consolidated by the Commission on December 11, 1996.

An informal conference was held in this matter on November 11, 1996, at KU's offices in Georgetown as well as at the site of the substation. At this time, KU offered to landscape the site to Ms. Aines' specifications. Ms. Aines in turn agreed to continue informal negotiations with KU. Following the Executive Director of the Commission's most recent request for an update from the parties, the Commission received a response from KU which indicated that a landscaping plan had been completed for both


complainants and their lawns restored to normal. No response to the Executive Director's letter was received from either complainant.

KU has shown that it needed a substation in the general vicinity of the site in question in order to continue providing reliable electric service in the northern part of Scott County. The substation, an extension of KU's existing system, was constructed in KU's ordinary course of business. As such, KU was not required to obtain a Certificate of Public Convenience and Necessity from the Commission prior to its construction. KRS 278.020. As KU appears to have made every reasonable effort to address the concerns of Ms. Aines and Mr. Palmerton that could be required of it by the Commission, this complaint should be dismissed.


IT IS THEREFORE ORDERED that the complaint of Ms. Aines and Mr. Palmerton against KU is dismissed.

Done at Frankfort, Kentucky, this 3rd day of June, 1997.


PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director