

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RICHARD LEWIS HAMILTON)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2005-00056
)	
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

O R D E R

On January 28, 2005, Richard Lewis Hamilton (“Complainant”) filed with the Commission a formal complaint against Kentucky Utilities Company (“KU”). Complainant alleged that he should not be responsible for the costs of replacing a rotten pole that had fallen when a tree limb he was cutting fell on his service line and pulled the pole down. KU sought to recover \$932.32 from Complainant to pay for the cost of replacing the pole.

By Order dated February 4, 2005, the Commission ordered KU to satisfy or answer the matters complained of. On February 14, 2005, KU responded to the Commission’s Order, stating that it waives its charges to Complainant for the replacement of the pole, and requesting that the Commission dismiss the complaint with prejudice.

The Commission finds that, prior to the dismissal of the complaint, Complainant should be afforded an opportunity to respond to KU’s Notice of Satisfaction if his

complaint has not been satisfied. If no response is received, Commission will find that the complaint should be dismissed with prejudice.

IT IS THEREFORE ORDERED that:

1. Within 20 days of the date of this Order, the Complainant shall be allowed to file with the Commission a response to KU's Notice of Satisfaction and allege that KU has not satisfied the complaint and state the specific grounds for his allegation.

2. If no response is received from the Complainant within 20 days from the date of this Order, this case shall be dismissed with prejudice without further Order of the Commission.

Done at Frankfort, Kentucky, this 9th day of March, 2005.

By the Commission

ATTEST:



Executive Director

Case No. 2005-00056