

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BULLDOG'S ENTERPRISES, INC. D/B/A)	
BULLDOG'S ROAD HOUSE)	
)	
COMPLAINANT)	CASE NO.
V.)	2010-00404
)	
DUKE ENERGY KENTUCKY, INC.)	
)	
DEFENDANT)	

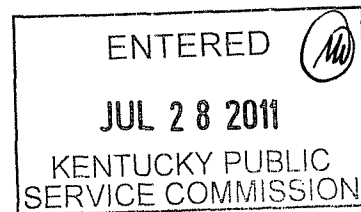
O R D E R

Pursuant to our Order of June 17, 2011, Commission Staff propounded requests for information to Complainant and Defendant on June 30, 2011. Responses to these requests were due no later than July 15, 2011. While Defendant filed its responses on July 15, 2011, Complainant has yet to file any response. Due to the adverse effect on the procedural schedule, the Commission does not look favorably upon any delays. Nonetheless, the Commission will provide Complainant with an opportunity to file its responses. Complainant shall have seven days from the date of this Order to file its responses to Commission Staff's initial request for information, a copy of which is appended to this Order as Appendix A. This action will require modifications to the schedule set forth in our Order of June 17, 2011 to allow adequate time to file supplemental requests for information. An amended procedural schedule is set forth in Appendix B. Complainant is placed on notice that failure to abide by this Order will constitute grounds for dismissal of the instant complaint.

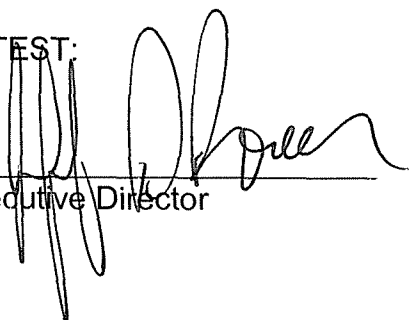
IT IS THEREFORE ORDERED that:

1. Complainant shall file its responses to Commission Staff's initial request for information within seven days from the date of this Order.
2. The procedural schedule set forth in Appendix B, which is attached hereto and incorporated herein, shall be followed and supersedes the previous schedule set forth in the Commission's June 17, 2011 Order.

By the Commission



ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2010-00404 DATED JUL 28 2011

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BULLDOG'S ENTERPRISES, INC. D/B/A)	
BULLDOG'S ROAD HOUSE)	
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COMPLAINANT)	CASE NO.
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DUKE ENERGY KENTUCKY, INC.)	
)	
DEFENDANT)	

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
TO BULLDOG'S ENTERPRISES, INC. D/B/A BULLDOG'S ROADHOUSE

Pursuant to 807 KAR 5:001, Bulldog's Enterprises, Inc. d/b/a Bulldog's Road House ("Bulldog") is to file with the Commission the original and six copies of the following information on or before July 15, 2011, with a copy to all parties of record. Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Bulldog shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which Bulldog fails or refuses to furnish all or part of the requested information, Bulldog shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations.

1. Refer to the Complaint filed on October 15, 2010 at paragraph 11. The paragraph states that “[d]espite the location being closed, and virtually no utilities being used, Respondent billed Complainant over \$3,600.00 for June and over \$3,800.00 for July.”

a. Provide a list of all power-consuming devices that would require the use of electricity despite the location being closed.

b. Provide a list of all power-consuming devices that would not require the use of electricity once the location was closed.

c. Provide a list of all natural gas-consuming devices that would require the use of gas despite the location being closed.

d. Provide a list of all natural gas-consuming devices that would not require the use of gas once the location was closed.

e. Did Complainant request Duke Kentucky to terminate electric and/or gas service to the location after the business permanently closed its doors to the public on June 1, 2010? If not, explain why not.

f. Describe the activities that took place inside the location after the restaurant closed its doors to the public on June 1, 2010.

2. Provide the square footage of the restaurant which is the subject of the complaint.

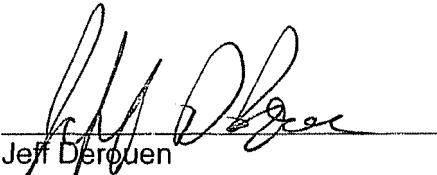
3. Provide the temperature at which the thermostat was set at the restaurant for June and July 2010.

4. State whether Complainant believes the electric and natural gas usage for June and July was estimated or determined by meter.

a. If Complainant believes the electric and natural gas usage was estimated, provide the basis for this belief.

b. If Complainant believes the electric and natural gas usage was determined by meter, state whether it believes both the natural gas and electric meters measured the usage accurately. If Complainant believes either of the meters measured the usage inaccurately, explain the basis for this belief.

5. Complainant states on page 2 of Complainant's Response to Defendant Duke Energy Kentucky, Inc.'s Motion to Dismiss that Bulldog's Roadhouse was closed to retail customers on June 1, 2010. [Emphasis added]. State the number of people occupying the restaurant after June 1, 2010, the length of time it was occupied, and the purpose of the occupation.



Jeff Derouen
Executive Director
Public Service Commission
P. O. Box 615
Frankfort, KY 40602

DATED: JUN 30 2011

cc: Parties of Record

Case No. 2010-00404

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APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2010-00404 DATED JUL 28 2011

Each party may serve upon any other party
a supplemental request for production of documents
and written interrogatories no later than08/15/11

Each party served with supplemental requests for
production of documents and written interrogatories
shall file responses thereto no later than08/29/11

Formal hearing is to begin at 10:00 a.m., Eastern Daylight Time,
in Hearing Room 1 of the Commission's offices
at 211 Sower Boulevard, Frankfort, Kentucky,
for the purpose of cross-examination of witnesses To Be Scheduled

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