

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES)
COMPANY FOR CERTIFICATES OF)
PUBLIC CONVENIENCE AND NECESSITY)
AND APPROVAL OF ITS 2011) CASE NO. 2011-00161
COMPLIANCE PLAN FOR RECOVERY BY)
ENVIRONMENTAL SURCHARGE)
)

ORDER

This matter is before the Commission upon Kentucky Utilities Company's ("KU") petition filed July 15, 2011, pursuant to 807 KAR 5:011, Section 14, for approval to deviate from the notice requirements of 807 KAR 5:011, Section 8, relating to newspaper publication. KU states that on May 13, 2011, prior to filing its application in this case, it delivered to the Kentucky Press Service, Inc., a notice of the filing of its application for publication in newspapers in KU's service area, once a week for three consecutive weeks, with the first publication to be made prior to the filing of KU's application as required by 807 KAR 5:011, Section 8(2)(c). However, eight local newspapers failed to publish KU's notice at the times KU had requested. One additional newspaper, the *Harlan Daily Enterprise*, published the notice as scheduled, but the print in that publication was difficult to read. In an effort to remedy the deficiencies, additional notices were published in the newspapers that had failed to publish notice as requested, and the *Harlan Daily Enterprise* republished the first notice.

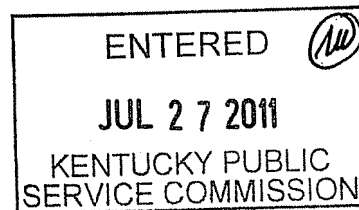
In addition to publishing notice in newspapers in its service areas, KU states that it has posted the notice for public inspection at its office and place of business, as well

as on its website. KU has also included a general statement explaining the application in this case with the bills for all Kentucky retail customers during the course of their regular monthly billing cycle beginning on May 31, 2011. Finally, KU states that the two newspapers with the largest circulation in the state, the *Lexington Herald-Leader* and the *Louisville Courier-Journal* not only published notice correctly, but also published articles concerning the applications of KU and Louisville Gas and Electric Company.

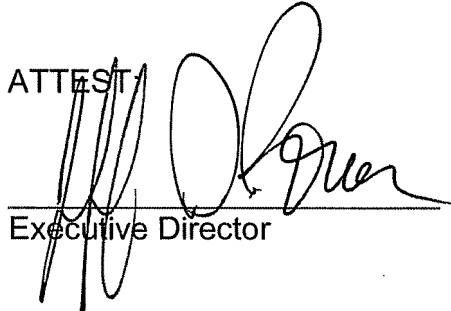
Having reviewed the petition and being otherwise sufficiently advised, the Commission finds that KU has substantially complied with the publication of notice requirements, and it has shown good cause to deviate from the requirements set forth in 807 KAR 5:011, Section 8.

IT IS THEREFORE ORDERED that KU's petition to deviate from the notice requirements of 807 KAR 5:011, Section 8, is granted.

By the Commission



ATTEST


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