

KENDRICK R. RIGGS

DIRECT DIAL (502) 560-4222
DIRECT FAX (502) 627-8722

kriggs@ogdenlaw.com

1700 PNC PLAZA
500 WEST JEFFERSON STREET
LOUISVILLE, KENTUCKY 40202-2874
(502) 582-1601
FAX (502) 581-9564
www.ogdenlaw.com

December 18, 2003

DEC 18 2003

Thomas M. Dorman
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602

RE: *An Adjustment of the Gas and Electric Rates, Terms and Conditions of Louisville Gas and Electric Company*
Case No. 2003-00433 ✓

An Investigation Pursuant to KRS 278.260 of the Earnings Sharing Mechanism Tariff of Louisville Gas and Electric Company
Case No. 2003-00335

Dear Mr. Dorman:

Enclosed please find and accept for filing an original and ten (10) copies of the Joint Motion of Louisville Gas and Electric Company, Office of the Attorney General, and Kentucky Industrial Utility Customers, Inc. to Consolidate Proceedings in the above-referenced matters. Please confirm your receipt of this filing by placing the stamp of your Office with the date received on the enclosed additional copy of this letter and return it to me in the self-addressed stamped envelope.

Should you have any questions or need any additional information, please contact me at your convenience.

Yours very truly,

Kendrick R. Riggs

KRR/ec

Enclosures

cc: Parties of Record

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

SEP
18 2003
P.S.C.
OFFICE

In the Matter of:

**AN ADJUSTMENT OF THE GAS)
AND ELECTRIC RATES, TERMS)
AND CONDITIONS OF LOUISVILLE) CASE NO: 2003-00433
GAS AND ELECTRIC COMPANY)**

AND

**AN INVESTIGATION PURSUANT TO KRS)
278.260 OF THE EARNINGS SHARING)
MECHANISM TARIFF OF LOUISVILLE) CASE NO. 2003-00335
GAS AND ELECTRIC COMPANY)**

**JOINT MOTION OF LOUISVILLE GAS AND ELECTRIC COMPANY,
OFFICE OF THE ATTORNEY GENERAL, AND
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.
TO CONSOLIDATE PROCEEDINGS**

Louisville Gas and Electric Company (“LG&E”), Commonwealth of Kentucky, ex. rel. A.B. Chandler, III, Attorney General, by and through the Office for Rate Intervention (the “Attorney General”), and Kentucky Industrial Utility Customers, Inc. (“KIUC”), by counsel, move the Public Service Commission of Kentucky (“Commission”) to consolidate *In the Matter of: An Adjustment of the Gas and Electric Rates, Terms and Conditions of Louisville Gas and Electric Company*, Case No. 2003-00433 with *In the Matter of: An Investigation Pursuant to KRS 278.260 of the Earnings Sharing Mechanism Tariff of Louisville Gas and Electric Company*, Case No. 2003-00335. The grounds supporting this motion are set forth below.

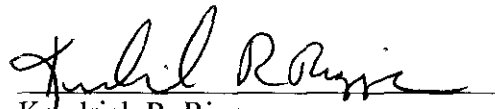
On September 4, 2003, the Commission initiated its own investigation, pursuant to KRS 278.260, of the revised tariffs filed by Kentucky Utilities Company (“KU”) and LG&E to continue their respective Earnings Sharing Mechanism (“ESM”) tariffs for an additional 3-year

term ending December 31, 2005. On November 24, 2003, LG&E notified the Commission of its intention to seek an adjustment of its gas and electric base rates and tariff terms and conditions.

The consolidation of these two proceedings will facilitate the Commission's review of and decision in these cases. There will be common issues of fact raised in both proceedings, including the allowed rate of return. In addition, the adjustments determined in the rate proceeding may also be at issue in the renewal of LG&E's ESM tariff. The record in Case No. 2003-335 will be complete on January 12, 2004. In the interests of administrative economy, to avoid unnecessary duplication of effort, and to prevent the unnecessary expenditure of resources by the Commission, as well as the parties, the movants submit that the consolidation of the above-captioned proceedings is reasonable. This motion is made without prejudice to the positions taken by the Attorney General and KIUC on the merits of the ESM.

For these reasons, LG&E, the Attorney General, and KIUC request that the Public Service Commission enter an order consolidating Case Nos. 2003-00433 and 2003-00335.

Respectfully submitted,




Kendrick R. Riggs
J. Gregory Cornett
Allyson K. Sturgeon
Ogden Newell & Welch PLLC
1700 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202

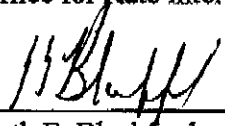
Linda S. Portasik
Senior Corporate Attorney
LG&E Energy Corp.
220 West Main Street
Louisville, Kentucky 40202

Counsel for Louisville Gas and
Electric Company


Kentucky Industrial Utility Customers, Inc.

By: 
David F. Boehm, Esq.

Commonwealth of Kentucky, ex. rel. A.B.
Chandler, III, Attorney General, by and
through the Office for Rate Intervention

By: 
Elizabeth E. Blackford

Lexington-Fayette Urban County Government

By: 
David J. Barberie
CORPORATE COUNSEL