

RECEIVED

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

JUL 15 2005

PUBLIC SERVICE
COMMISSION

IN RE THE MATTER OF:

JOINT APPLICATION OF LOUISVILLE GAS)	
AND ELECTRIC COMPANY AND KENTUCKY)	
UTILITIES COMPANY FOR A CERTIFICATE OF)	CASE NO.
PUBLIC CONVENIENCE AND NECESSITY FOR)	2005-00142
CONSTRUCTION OF TRANSMISSION FACILITIES)	
IN JEFFERSON, BULLITT, MEADE, AND HARDIN)	
COUNTIES, KENTUCKY)	

* * * * *

INTERVENERS DENNIS AND CATHY CUNNINGHAM
DIRECT TESTIMONY OF GEOFFREY YOUNG
AND
MOTION FOR EXTENSION OF TIME WITHIN WHICH
TO FILE DIRECT TESTIMONY

* * * * *

Come the Interveners Dennis Cunningham and Cathy Cunningham, ("Cunningham"), by and through counsel, and file the Direct Testimony of Geoffrey Young as per the scheduling order in this action, and MOVE THE PUBLIC SERVICE COMMISSION FOR AN EXTENSION OF TIME within which to file additional Direct Testimony, as follows:

1. The Public Service Commission ("PSC") order setting the schedule for this application directed that Parties shall file direct testimony, if any, no later than July 15, 2005.

2. The Applicants, Louisville Gas and Electric Company and Kentucky Utilities Company ("LG&E/KU") filed

direct testimony with the application, and Cunninghams are on this date filing direct testimony of one witness.

3. LG&E/KU filed responses to the Cunningham Data Request and the PSC Staff Data Request. Cunninghams have determined that the responses by LG&E/KU appear to be either incomplete or misleading. Specifically, Cunninghams sought to require LG&E/KU identify all applications to and all federal action taken or to be taken on such applications. See Question #5, #6, #8, and #10. Cunninghams sought copies of all such applications and all supporting studies that were part of such applications. See Question #1, #2, and #9. None were produced. Subsequently, Cunninghams have received information and believe LG&E/KU has an application for a federal permit pending and as part of that application, has submitted materials to the Kentucky State Historic Preservation Officer (KY SHPO).

4. LG&E/KU concedes that they are currently in "ongoing discussions" with the Department of Defense regarding the crossing of Fort Knox Military Reservation, and provided a February 15, 2005, March 15, 2005, and March 15, 2005 letters from LG&E/KU to Fort Knox, but failed to provide any communication from the Department of Defense in

reply and failed to provide any environmental studies that are required by NEPA that must proceed federal action.

5. LG&E/KU may provide additional Direct Testimony today, as per the scheduling order. However, this motion is made whether or not additional Direct Testimony is received today.

6. Cunninghams sought to retain additional engineering and scientific review of the LG&E/KU application, but two of the engineers approached were required to decline because they had a conflict based upon other clients.

7. Cunninghams have not had sufficient time to complete their Direct Testimony by July 15, 2005. This application clearly matters to the public as witnessed by the large outpouring of public opposition in Elizabethtown, Kentucky at the July 12, 2005 Local Public Hearing. On a case with this degree of public opposition, these Interveners should be given sufficient time to prepare their case. They will not be able to complete such preparation unless they are given additional time to submit direct testimony.


8. Based upon the foregoing, Interveners Dennis Cunningham and Cathy Cunningham move the PCS to allow them until July 22, 2005 within which to file their Direct Testimony.

WHEREFORE, the Interveners, Dennis Cunningham and Cathy Cunningham MOVE THE PSC TO EXTEND THE TIME FOR THESE PARTIES TO FILE DIRECT TESTIMONY TO NOT LATER THAN JULY 22, 2005.

Respectfully submitted,

W. H. GRADDY & ASSOCIATES
103 Railroad Street
P.O. Box 4307
Midway, KY 40347
(859) 846-4905
(859) 846-4914 fax
hgraddy@aol.com
Counsel for Interveners
Dennis and Cathy Cunningham

By:


W. Henry Graddy, IV

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy has been duly served by first-class mail upon the following:

Hon. A.W. Turner
Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, Kentucky 40602

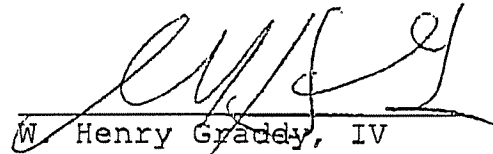
Hon. Kendrick R. Riggs
Hon. J. Gregory Cornett
Ogden, Newell & Welch PLLC
1700 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202

Hon. Robert M. Watt, III
Hon. Lindsey W. Ingram, III
Stoll, Keenon, & Park, LLP
300 West Vine Street, Suite 2100
Lexington, Kentucky 40507

Hon. Elizabeth L. Cocanougher
Senior Regulatory Counsel
Louisville Gas and Electric Company
220 West Main Street
Post Office Box 32010
Louisville, Kentucky 40232
Counsel for Louisville Gas and Electric
Company and Kentucky Utilities Company

Hon. Greg Stumbo
Attorney General
State Capital
Frankfort, Kentucky 40601

This the 15 day of July, 2005.


W. Henry Graddy, IV