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PUBLIC SERVICE
COMMISSION

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W. Henry Graddy, IV
Elizabeth R. Bennett

July 15, 2005

VIA FAX: (502) 564-3460
Hon. A. W. Turner
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602
(502) 564-3940

Re: Joint Application of Louisville Gas and Electric, et al., in Jefferson, Bullitt, Meade and Hardin Counties, Kentucky, Case No. 2005-00142.
Cunningham Motion to Dismiss, Request for Hearing in advance of July 26, 2005 Public Hearing for Cross Examination.

Dear Mr. Turner:

This letter follows our conversation at the close of the Local Public Hearing in Elizabethtown, Kentucky, July 12, 2005. On that date, on behalf of the Interveners, Dennis and Cathy Cunningham, I filed a motion to dismiss the above application for reasons of defective notice and because the application was premature. I advised the Public Service Commission of this motion at the public hearing, and after hearing was concluded, I advised you that I would seek to be heard on this motion in advance of the Public Hearing for Cross Examination set for July 26, 2005.

The purpose of this letter is to reduce to writing my request, on behalf of Dennis and Cathy Cunningham, that the Public Service Commission set a date and time to hear our Motion to Dismiss in advance of the July 26, 2005 date. Specifically, I request that this matter be set to be heard next Wednesday, July 20, 2005.

In the event the Public Service Commission cannot hear this motion in advance of July 26, 2005, I request that the Public Service Commission amend the scheduling order in this matter to set the date for the Public Hearing for Cross Examination to take place the week of August 15, 2005, or at such other date that would be available to the PCS and counsel and parties. Under this

amendment to the schedule, the date of July 26, 2005 would be available to consider the Cunningham motion to dismiss

By copy of this letter to Hon. Greg Cornett, Hon. Bob Watt and Hon. Elizabeth Cocanougher, I am requesting that LG&E/KU agree to this request to hear the motion in advance of the Public Hearing for Cross Examination.

Hon. Rob Moore represents citizens who are opposed to the LG&E/KU application in Case No. 2005-00155, also set for Public Hearing for Cross Examination on July 26, 2005. By copy of this letter to Mr. Moore, I am advising him of this request.

Hon. Robert Griffith, who identified himself at the July 12 Public Hearing, will be entering his appearance as my co-counsel for Dennis and Cathy Cunningham, and is also getting a copy of this letter.

Very truly yours,


W. Henry Graddy, IV

CC: Hon. Bob Watts
Hon. Greg Cornett
Hon. Elizabeth Cocanougher
Hon. Rob Moore
Hon. Robert Griffith
Dennis and Cathy Cunningham