



LG&E Energy LLC
220 West Main Street (40202)
P.O. Box 32030
Louisville, Kentucky 40232

May 9, 2005

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PUBLIC SERVICE
COMMISSION

Ms. Elizabeth O'Donnell
Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, Kentucky 40601

RE: Harry Tramel (Case No. 2005-00171) v. KU

Dear Ms. O'Donnell:

In accordance with the Commission's Order dated April 28, 2005, in the above-captioned proceeding, enclosed please find an original and ten (10) copies of the response of Kentucky Utilities Company.

If you have any questions regarding this filing, please contact me at (502) 627-4110.

Sincerely,

John Wolfram
Manager, Regulatory Affairs

JW:mjr

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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MAY 9 2005

PUBLIC SERVICE
COMMISSION

In the Matter of:

HARRY TRAMEL)
)
 COMPLAINANT)
)
 v.)
)
 KENTUCKY UTILITIES)
 COMPANY)
)
 DEFENDANT)

CASE NO. 2005-00171

ANSWER OF KENTUCKY UTILITIES COMPANY

In accordance with the Kentucky Public Service Commission's ("Commission") Order of April 28, 2005 in the above-captioned proceeding, Kentucky Utilities Company ("KU") respectfully submits this Answer to the Complaint of Harry Tramel ("Mr. Tramel") filed on April 25, 2005. In support of its Answer, and in response to the specific averments contained in said Complaint, KU states as follows:

1. KU admits the allegations contained in paragraphs (a) and (b) of the Complaint.
2. With regard to paragraph (c) of the Complaint, KU responds to the unnumbered paragraphs of Exhibit A referenced therein and attached to the Complaint as follows:
 - a. With regard to the first sentence and first full unnumbered paragraph of Exhibit A, KU states that it is without information or knowledge sufficient to form a belief as to the specifics of the construction on Mr. Tramel's home and garage. Although service to the garage was requested first, KU has no record, and its employees have no recollection, of ever advising Mr. Tramel, his wife or their contractor that a separate meter must be

installed on the garage. And, in fact, separate meters for the garage and house are not required. KU's General Service ("GS") rate is not a commercial rate, as characterized in Appendix A, but is a non-residential rate that is applicable to general lighting and small power loads for secondary service. While KU admits that Mr. Tramel's usage for his detached garage could be characterized as minimal, that service nonetheless is properly billed under the filed and approved terms of rate schedule GS.

- b. With regard to the second unnumbered paragraph of Exhibit A, KU admits that the customer charge under rate schedule GS was increased to \$10.00, as agreed to by all parties and approved by the Commission's final order in Case No. 2003-00434. The fact and amount of that increase was clear on its face, and the availability of service is set forth in the plain language of rate schedule GS as filed with and approved by the Commission. KU denies that it is unjustly billing Mr. Tramel or any other customer under rate schedule GS. KU also denies that it has "made" any customer install a general service meter, or directed that service to any customer be established under rate GS as opposed to another applicable rate schedule. KU also affirmatively states that it has no duty to, and does not, direct the specific design of a customer's electrical system.
- c. With regard to the third unnumbered paragraph of Exhibit A, KU admits that service to Mr. Tramel's detached garage could be billed under rate schedule RS if that service was connected to Mr. Tramel's residence and

billed through Mr. Tramel's residential meter. KU is without information or knowledge regarding the specific landscaping or retaining wall alleged, but states that, based on the conditions set forth in Exhibit A, such should not preclude proper connection of the detached garage to the electric service in Mr. Tramel's residence. KU further states that Mr. Tramel is being billed only for charges and usage pursuant to the express provisions of KU's electric tariff as filed with and approved by the Commission.

3. KU denies all other allegations set forth in Mr. Tramel's Complaint.

FIRST AFFIRMATIVE DEFENSE

The Complaint, or parts of it, fails to set forth any claim upon which relief can be granted by this Commission and, therefore, should be dismissed.

SECOND AFFIRMATIVE DEFENSE

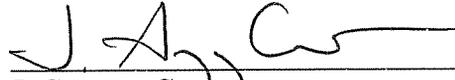
The Complaint fails to set forth a *prima facie* case that KU has violated its tariff or any statute or Commission regulation, and should be dismissed for that reason.

WHEREFORE, for all of the reasons set forth above, Kentucky Utilities Company respectfully requests:

- (1) that the Complaint herein be dismissed without further action being taken by the Commission;
- (2) that this matter be closed on the Commission's docket; and
- (3) that KU be afforded any and all other relief to which it may be entitled.

Dated: May 9, 2005

Respectfully submitted,



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Counsel for Kentucky Utilities Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on the following persons on the 9th day of May 2005, U.S. mail, postage prepaid:

Harry Tramel
234 Jacks Way
Eddyville, Kentucky 42038



Counsel for Kentucky Utilities Company