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Governor

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**Public Service Commission**  
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Mark David Goss  
Chairman

Teresa J. Hill  
Vice Chairman

Gregory Coker  
Commissioner

March 30, 2006

To: Parties of Record

RE: Case Nos. 2004-00450, 2004-00497, 2004-00499, 2005-00099, 2005-00118,  
2005-00136, 2005-00137, 2005-00182, 2005-00423

We enclose one attested copy of the Commission's Order in the above cases.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell", written over a horizontal line.

Beth O'Donnell  
Executive Director

BOD/jc

Enclosure

B & D  
c/o Bob Noe & Dan Barnett  
600 Clubside Drive  
Stanford, KY 40484

Michael S. Beer  
Vice President, Rates & Regulatory  
Kentucky Utilities Company  
c/o Louisville Gas & Electric Co.  
P. O. Box 32010  
Louisville, KY 40232-2010



NORMAN L. DENNISON )  
COMPLAINANT )  
V. ) CASE NO. 2005-00099  
LOUISVILLE GAS AND ELECTRIC COMPANY )  
DEFENDANT )

DONALD MARSHALL )  
COMPLAINANT )  
V. ) CASE NO. 2005-00137  
LOUISVILLE GAS AND ELECTRIC COMPANY )  
DEFENDANT )

MARIA L. WILSON )  
COMPLAINANT )  
V. ) CASE NO. 2005-00182  
LOUISVILLE GAS AND ELECTRIC COMPANY )  
DEFENDANT )

O R D E R

The Defendants having answered the complaints, the Commission finds that, pursuant to KRS 278.260 and KRS 278.280, a procedural schedule should be established in these matters.

IT IS HEREBY ORDERED that:

1. A formal hearing in this matter shall be held on May 30, 2006 in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, and shall continue until completed. The first case shall be called at 9:00 a.m., Eastern Daylight Time. Cases in which the parties have entered a stipulation shall be heard first. The remaining cases shall be heard in the order in which they are listed in this Order's caption.

2. On or before April 14, 2006, each party may serve upon any other party an initial request for production of documents and written interrogatories to be answered by the party served within 14 days of service.

3. On or before May 2, 2006, each party shall file with the Commission in verified form the direct testimony of each witness that it expects to call at the formal hearing or any other evidence which the parties plan to introduce at hearing. Stipulations which have been filed with the Commission may be considered substitutes for prefiled testimony.

4. On or before May 16, 2006, each party shall file with the Commission in verified form the testimony of each rebuttal witness that it expects to call at the formal hearing.

5. Direct examination of witnesses shall be limited to the authentication and adoption of that written testimony or stipulation.

6. Witnesses who have filed written direct and rebuttal testimony shall present that testimony at the same sitting. Opposing parties may cross-examine such witnesses on both direct and rebuttal testimonies.

7. No opening statements shall be made at the hearing.

8. Within 15 days of the filing of the hearing transcript with the Commission, any party may submit a written brief. Briefs shall not exceed 25 pages in length.

9. Copies of all documents served upon any party shall be served on all other parties and filed with the Commission.

10. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

11. To be timely filed with the Commission, a document must be received by the Executive Director of the Commission within the specified time for filing except that any document shall be deemed timely filed if it has been transmitted by United States express mail, or by other recognized mail carriers, with the date the transmitting agency received said document from the sender noted by the transmitting agency on the outside of the container used for transmitting, within the time allowed for filing.

12. Service of any document or pleading shall be made in accordance with 807 KAR 5:001, Section 3(7), and Kentucky Civil Rule 5.02.

13. As the Complainants bear the burden of proof in these matters, their failure to appear at the formal hearing and to present proof in support of their complaints may result in the dismissal of their complaints with prejudice.

14. The failure of the Defendants to appear at the formal hearing may result in the entry of an Order granting the Complainants' requested relief.

Done at Frankfort, Kentucky, this 30<sup>th</sup> day of March, 2006.

By the Commission

ATTEST:



Executive Director