

In the Matter of:

PUBLIC SERVICE
COMMISSION

BRUCE WAYNE VICKERS)	
)	
COMPLAINANT)	
)	
vs.)	CASE NO. 2007-00149
)	
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

ANSWER OF KENTUCKY UTILITIES COMPANY

In accordance with the Kentucky Public Service Commission’s (“Commission”) Order of April 26, 2007 in the above-captioned proceeding, Kentucky Utilities Company (“KU”) respectfully submits this Answer to the Complaint of Bruce Wayne Vickers (“Mr. Vickers”) filed on April 11, 2007.

In compliance with the Commission’s order of April 26, 2007, KU provides the following response to Mr. Vickers’s Complaint in order to preserve its defenses:

1. With regard to the allegations contained in paragraph (a) of the Complaint, KU admits, on information and belief, that Mr. Vickers’ address is 2194 Blueball Church Road, Elizabethtown, Kentucky 42701.

2. With regard to the allegations contained in paragraph (b) of the Complaint, KU states that its primary business address is One Quality Street, Lexington, Kentucky 40507.

3. With regard to the allegations contained in paragraph (c) of the Complaint, KU states as follows:

a. KU admits the averment that “On 2-27-07 while walking on my property address above, I met foresters marking my timber for the K.U. Mill Creek-Hardin Co. 345 kV Transmission Line.”

b. KU is without knowledge or information sufficient to form a belief as to the truth of the averment that “I knew from neighborhood conversations that this high voltage line was coming through.”

c. As to the averment that “All effected landowners were to be notified by mail and were allowed access to public hearings,” KU affirmatively states that it properly notified all landowners over whose property the proposed transmission line right-of-way would cross based on county property valuation administrator (“PVA”) records in accordance with Commission regulation 807 KAR 5:120, Section 2(3). KU further states that every public hearing held in this matter was open to the public and advertised in newspapers of general circulation in the affected counties.

d. KU denies the averment that “I was never contacted and all of my due process rights were circumvented.” Although KU did not send personal notification directly to Mr. Vickers based on county PVA records, notice of the intent to construct the planned facilities, and of the public hearing to discuss the project, was advertised in newspapers of general circulation in Hardin and other affected counties. In addition, KU has negotiated, and will continue to negotiate, with Mr. Vickers for the purchase of an easement on his property.

e. As to the averment that “The excuse was faulty PVA maps,” KU affirmatively states that it complied with all Commission requirements for notice under 807 KAR 5:120, Section 2(3).

f. KU denies the averments that “This is a terrible excuse for a multi-million dollar project. I and others have been treated unfairly.”

g. As to Mr. Vickers’ request that the Commission assess the “maximum financial penalty to the K.U. co. for violating notification laws,” KU affirmatively states that, because it relied on the county PVA records as required by 807 KAR 5:120, Section 2(3), it did not violate any Commission notification requirement by failing to personally notify Mr. Vickers.

h. As to Mr. Vickers’ request for “monetary compensation to the land owner of 10% of appraised value of all effected land parcels, not just the right of way land,” KU denies that this is appropriate. In addition, KU further states that Chapter 278 of the Kentucky Revised Statutes does not give the Commission the authority to award damages to a complainant.

4. KU denies all allegations contained in the Complaint which are not expressly admitted in the foregoing paragraphs of this Answer.

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

THIRD AFFIRMATIVE DEFENSE

As set forth in the Motion to Dismiss filed concurrently herewith, KU has complied with the law in all regards and Mr. Vickers’ Complaint should be dismissed.

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

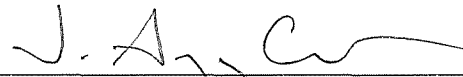
(1) that the Complaint herein be dismissed without further action taken by the Commission;

(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 7, 2007

Respectfully submitted,



J. Gregory Cornett
Stoll Keenon Ogden PLLC
2000 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202-2828
Telephone: (502) 582-1601

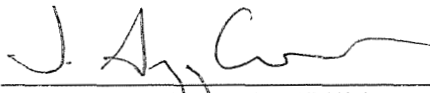
Allyson K. Sturgeon
Corporate Attorney
E.ON U.S. LLC
220 West Main Street
Louisville, Kentucky 40202
(502) 627-2088

Counsel for Kentucky Utilities Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Answer was served on the following on the 7th day of May, 2007, U.S. mail, postage prepaid:

Bruce Wayne Vickers
2194 Blueball Church Road
Elizabethtown, Kentucky 42701



Counsel for Kentucky Utilities Company