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PUBLIC SERVICE
COMMISSION

February 14, 2012

Mark David Goss
Frost Brown Todd LLC
250 W. Main St., Suite 2800
Lexington, KY 40507

Jeff R. Derouen, Executive Director
Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

**RE: BULLDOG'S ENTERPRISES INC., d/b/a BULLDOG'S ROAD HOUSE v.
DUKE ENERGY KENTUCKY, INC.
PSC CASE NO. 2010-00404**

Dear Mr. Goss:

Enclosed please find Bulldog's Enterprises Response to Supplemental Requests for Production of Documents and Interrogatories submitted by Duke Energy Kentucky, Inc.

Sincerely,

Eric C. Deters

/ll

Encl.

Q:\ECD v Duke\ltr to Goss and Commission 2-14-12 wpd

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

BULLDOG’S ENTERPRISES, INC. d/b/a)
BULLDOG’S ROAD HOUSE)
COMPLAINANT)
VS.) Case No. 2010-00404
DUKE ENERGY KENTUCKY, INC.)
RESPONDENT)

BULLDOG’S ROAD HOUSE REPOSE TO RESPONDENT’S SUPPLEMENTAL
REQUESTS FOR PRODUCTION OF DOCUMENTS AND INTERROGATORIES TO
COMPLAINANT

Comes now the Complainant, Bulldog’s Road House (“Bulldog’s”), by counsel, and pursuant to the Commission’s January 17, 2012 Order, does hereby respond to the Supplemental Requests for Production of Documents and Interrogatories to Complainant submitted by Respondent, Duke Energy Kentucky, Inc. (“Duke Energy”), as set forth below:

Bulldog's Road House

**Response to the Supplemental Data Request of Duke Energy Kentucky
Dated: January 27, 2012**

Case No. 2010-00404

Responding Witness: Eric C. Deters

INTERROGATORIES

1. Please explain in detail why customers of Duke Energy would send letters about services provided by Duke Energy to Bulldog as claimed in your response to Respondent's Initial Requests Interrogatory No. 1.

RESPONSE:

Because I publicized on the radio what I was dealing with.

Bulldog's Road House

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Responding Witness: Eric C. Deters

2. Please state whether any food or beverages were kept at the premises during June and July of 2010. If so, please describe what steps were taken to keep the food and/or beverages from spoiling.

RESPONSE:

None,

Bulldog's Road House

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Responding Witness: Eric C. Deters

3. Your response to Respondent's Initial Request Interrogatory No. 2 indicates that the Premises was open for the Independence Day weekend in July 2010 and for one other party in July.

a) Please identify the nature and duration of the activities occurring at the Premises during the Independence Day weekend and the other party.

RESPONSE:

We served drinks at an inside and outside bar. We grilled from our outdoor wood-burning grill. We also had beer booths from Miller and Budweiser. It was simply an outdoor party for two days.

The other party was a fundraiser, inside, from 7 pm to 2 am; I forget the cause.

b) Please describe in detail any preparations that were made in advance for both the Independence Day weekend and the other party.

RESPONSE:

We served drinks at an inside and outside bar. We grilled from our outdoor wood-burning grill. We also had beer booths from Miller and Budweiser. It was simply an outdoor party for two days.

The other party was a fundraiser, inside, from 7 pm to 2 am; I forget the cause.

c) Please describe in detail any tasks that took place at the Premises following it being open for the Independence Day weekend and the other party.

RESPONSE:

There were none.

d) Please describe the dates of the other party.

RESPONSE:

I cannot remember, and I do not have a record I can find. It was in July, a fundraiser.

Bulldog's Road House

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Responding Witness: Eric C. Deters

INTERROGATORIES

4. Your response to Respondent's Initial Requests Interrogatory No. 3 indicates that several Electrical Devices were "shut off" or "off". Please explain whether this means they were physically unplugged from electrical outlets.

RESPONSE:

The ones with plugs were unplugged.

Bulldog's Road House

**Response to the Supplemental Data Request of Duke Energy Kentucky
Dated: January 27, 2012**

Case No. 2010-00404

Responding Witness: Eric C. Deters

INTERROGATORIES

5. Please identify the specific source and context of the information which you claim was received from Duke Energy in your response to Respondent's Initial Requests Interrogatory No. 5.

RESPONSE:

I do not understand this question.

Bulldog's Road House

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Responding Witness: Eric C. Deters

INTERROGATORIES

6. Please refer to your response to Respondent's Initial Requests Interrogatory No. 11. Please state whether you have been a debtor in and bankruptcy proceeding since June 1, 2010. If the answer is "yes", please provide a citation to the case and division of the bankruptcy court where the proceeding is/was pending. If the answer is "no", please explain in detail why Bulldog has refused to pay the undisputed portion of the bills owed to Duke Energy.

RESPONSE:

No, because it was in the corporation's name.

Bulldog's Road House

**Response to the Supplemental Data Request of Duke Energy Kentucky
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INTERROGATORIES

7. Please refer to your response to Respondent's Initial Requests Interrogatory No.
6. Please identify by name, address and telephone number, the person(s) who has/have possession of the requested records.

RESPONSE:

Eric Deters.

Bulldog's Road House

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Dated: January 27, 2012**

Case No. 2010-00404

Responding Witness: Eric C. Deters

INTERROGATORIES

8. Please refer to the email sent by Eric Deters to James E. McClean on October 26, 2010, time-stamped at 8:34 AM, wherein it is stated, "Also, Bulldog Enterprises doesn't own the building. My trust does. Bulldog Enterprises is judgment proof."

a) Please identify the owner of the Premises during the months of June-July, 2010.

RESPONSE:

Eric C. Deters Irrevocable Trust.

b) Please describe the current owner of the Premises.

RESPONSE:

Eric C. Deters Irrevocable Trust.

Bulldog's Road House

**Response to the Supplemental Data Request of Duke Energy Kentucky
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Responding Witness: Eric C. Deters

INTERROGATORIES

9. Please refer to the email sent by Eric Deters to James E. McClean on October 26, 2010, time-stamped at 8:34 AM, wherein it is stated, "Also, Bulldog Enterprises doesn't own the building. My trust does. Bulldog Enterprises is judgment proof." Please explain the Legal and Practical Connection you have with the owner of the Premises.

RESPONSE:

Eric Deters is the only shareholder of Bulldog Enterprises, Inc.

Eric Deters is the grantor and trustee of the Eric C. Deters Irrevocable Trust.

Bulldog's Road House

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Responding Witness: Eric C. Deters

INTERROGATORIES

10. Please state whether any of the following entities have, at any time from January, 2010 through the present, had any Legal or Practical Connection to the Premises

- a) Snappy Tomato Pizza Company.

RESPONSE:

None.

- b) Eric C. Deters & Associates, P.S.C.

RESPONSE:

None.

- c) Bulldogs Apparel, LLC.

RESPONSE:

None.

d) Super Duper Lawyers, Inc.

RESPONSE:

None.

e) United States Bar Association, Inc.

RESPONSE:

None.

f) The Deters Cookie Company.

RESPONSE:

None.

g) Mary & Eric Deters Holdings, Inc.

RESPONSE:

None.

Bulldog's Road House

**Response to the Supplemental Data Request of Duke Energy Kentucky
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INTERROGATORIES

11. For each entity you identified in response to Interrogatory No. 10 above as having a Legal or Practical Connection to the Premises, please provide a detailed explanation of each such entity's Legal or Practical Connection.

RESPONSE:

N/A

Bulldog's Road House

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Responding Witness: Eric C. Deters

INTERROGATORIES

12. Please refer to the email sent by Eric Deters to James E. McClean on October 26, 2010, time-stamped at 8:34 AM, wherein it is stated, "Also, Bulldog Enterprises doesn't own the building. My trust does. Bulldog Enterprises is judgment proof." Please state whether you owned any of the personal property (i.e. tables, chairs, dishes, appliances, fixtures, etc.) located on or in the Premises during the period of June and July 2010.

a) If the answer is "yes", please provide an inventory of the assets owned by Bulldog.

RESPONSE:

Yes. Photos and memorabilia.

b) If the answer is "no", please identify the owner(s) of the personal property (i.e. tables, chairs, dishes, appliances, fixtures, etc.) located on or in the Premises during the period in question.

RESPONSE:

N/A

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INTERROGATORIES

13. Please explain in detail why you failed to transfer the customer account for the Premises from Willie's of Independence to your name.

RESPONSE:

We just never did because we never needed to.

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Responding Witness: Eric C. Deters

INTERROGATORIES

14. Please identify the owner(s) of Willie's of Independence.

RESPONSE:

There is no Willie's of Independence.

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INTERROGATORIES

15. Please state whether Willie's of Independence or its owner(s) consented to remaining as the named party on the customer account for the Premises.

RESPONSE:

N/A.

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INTERROGATORIES

16. Please state whether you have consulted with Willie's of Independence, or its owner(s) about your complaint and, if so, please identify the date, method and nature of the consultation, including the person(s) involved.

RESPONSE:

N/A. Again, there is no Willie's of Independence.

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INTERROGATORIES

17. Please supplement or correct any of your July 15, 2011 responses to Respondent's Initial Requests.

RESPONSE:

N/A.

Bulldog's Road House

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Responding Witness: Eric C. Deters

REQUESTS FOR PRODUCTION

1. To the extent you have not already done so, please produce a copy of each of your letters referenced in your response to Respondent's Initial Requests Interrogatory No. 1.

RESPONSE:

N/A.

Bulldog's Road House

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Responding Witness: Eric C. Deters

2. If you identified any document(s) in your response to Interrogatory No. 5 above, please provide a copy of the document(s).

RESPONSE:

N/A.

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Response to the Supplemental Data Request of Duke Energy Kentucky

Dated: January 27, 2012

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Responding Witness: Eric C. Deters

3. Please refer to the December 31, 2010 email from John F. Damico, time-stamped at 3:54 PM to Eric Deters. Please attach the remaining pages three through nine of the email chain.

RESPONSE:

I don't have them.

Bulldog's Road House

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Responding Witness: Eric C. Deters

INTERROGATORIES

4. Please refer to your response to Respondent's Initial Requests Interrogatory No. 7 wherein you state that Bulldog purchased the Premises from Willie's of Independence. Please produce a copy of any and all agreements arising from, relating to, or documenting said purchase.

RESPONSE:

It was a one-page agreement. I cannot find the agreement, but will continue to look for it.

Bulldog's Road House

**Response to the Supplemental Data Request of Duke Energy Kentucky
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Responding Witness: Eric C. Deters

INTERROGATORIES

5. Please refer to the email sent by Eric Deters to James E. McClean on October 26, 2010, time-stamped at 8:34 AM, wherein it is stated, "Also, Bulldog Enterprises doesn't own the building. My trust does. Bulldog Enterprises is judgment proof." Please provide a copy of any and all agreements arising from, relating to, or documenting the conveyance of the Premises from or to Bulldog and/or the Eric Deters' trust.

RESPONSE:

Any transfer documents are public record.

Bulldog's Road House

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Responding Witness: Eric C. Deters

INTERROGATORIES

6. Please provide a copy of any and all documents (including, without limitation, all contracts, deeds, agreements, leases, assignments and ledgers) evidencing or describing your Legal or Practical Connection to the Premises.

RESPONSE:

Any transfer documents are public record.

Bulldog's Road House

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Responding Witness: Eric C. Deters

INTERROGATORIES

7. Please provide a copy of any and all documents (including, without limitation, all contracts, deeds, agreements, leases, assignments and ledgers) evidencing or describing your Legal or Practical Connection to any of the entities you identified in response to Interrogatory No. 10 above as having any Legal or Practical Connection to the Premises.

RESPONSE:

N/A.

Bulldog's Road House

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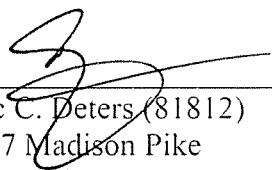
INTERROGATORIES

8. To the extent you have note already done so, please provide a copy of all documents which you reviewed, considered or relied upon in preparing your responses to any of the foregoing interrogatories or requests for production of documents.

RESPONSE:

N/A.

Respectfully submitted,


Eric C. Deters (81812)
5247 Madison Pike
Independence, KY 41017
Phone: (859) 363-1900
Fax: (859) 363-1444
Email: eric@ericdeters.com

CERTIFICATE OF SERVICE

I hereby certify that on Feb 14th, 2012, a copy of the foregoing was served via electronic mail and regular U.S. mail, postage pre-paid, upon the following:

Mark David Gross
Frost Brown Todd, LLC
250 W. Main Street, Suite 2800
Lexington, KY 40507-1749


Counsel for Complainant