



a PPL company

Jeff DeRouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

RECEIVED

MAR 18 2011

PUBLIC SERVICE
COMMISSION

Kentucky Utilities Company
State Regulation and Rates
220 West Main Street
PO Box 32010
Louisville, Kentucky 40232
www.lge-ku.com

Robert M. Conroy
Director - Rates
T 502-627-3324
F 502-627-3213
robert.conroy@lge-ku.com

March 18, 2011

**RE: *AN EXAMINATION OF THE APPLICATION OF THE
FUEL ADJUSTMENT CLAUSE OF KENTUCKY
UTILITIES COMPANY FROM NOVEMBER 1, 2008
THROUGH OCTOBER 31, 2010
CASE NO. 2010-00492***

Dear Mr. DeRouen:

Please accept for filing the original and ten (10) copies of the Proof of Publication on behalf of Kentucky Utilities Company in the above-referenced matter.

In addition, please accept for filing the original and ten (10) copies of the Petition for Approval to Deviate from Rule regarding rate change notice regulations in the above-referenced matter.

Please confirm your receipt of these filings by placing the stamp of your Office with the date received on the additional copy.

Should you have any questions or need any additional information, please contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert M. Conroy'.

Robert M. Conroy

cc: Allyson Sturgeon

NOTARIZED PROOF OF PUBLICATION

COMMONWEALTH OF KENTUCKY

COUNTY OF Franklin

Before me, a Notary Public, in and for said county and state, this 15th day of March, 2011, came Rachel McCarty, personally known to me, who, being duly sworn, states as follows: that she is the Advertising Assistant of the Kentucky Press Service, Inc.; that she has personal knowledge of the contents of this Affidavit; that the newspapers shown on Attachment No. 1 to this Affidavit published the Notice of Public Hearing, on the dates shown thereon at the request of Kentucky Press Service, Inc. for Kentucky Utilities Company; that the form and content of the Notice submitted for publication to each paper is shown in Attachment No. 2 to this Affidavit; and that the Kentucky Press Service, Inc. has presented to Kentucky Utilities Company proof of these publications in the form of "tear sheets" for retention in its files. Said Notice pertains to the Public Hearing scheduled for March 22, 2011, as ordered by the Kentucky Public Service Commission in Case No. 2010-00492.

Rachel McCarty
Signature

Bonnie F. Howard
Notary Public
My Commission Expires: 9-18-12

(SEAL)

[Attachments: (1) List of publications and dates of publication; (2) sample published notice]

KENTUCKY PRESS SERVICE

101 Consumer Lane
(502) 223-8821

Frankfort, KY 40601
FAX (502) 875-2624

Rachel McCarty Advertising Dept.

List of newspapers running the Notice to Kentucky Utilities Company Customers. Attached tearsheets provide proof of publication:

Barbourville Mnt. Advocate: 3-10
Bardstown KY Standard 3-9
Bardwell Carlilse Co. News: 3-10
Bardwell Carlilse Weekly: 3-16
Beattyville Enterprise: 3-10
Bedford Trimble Banner: 3-9
Berea Citizen: 3-10
Brooksville Bracken Co.: 3-10
Brownsville Edmonson New: 3-10
Calhoun McLean Co. New: 3-10
Campbellsville Central KY: 3-7
Carlisle Mercury: 3-9
Carrollton News Democrat: 3-9
Cave City Barren Progress: 3-10
Central City Leader News: 3-8
Central City Times Argus: 3-9
Clinton Hickman Co. Gaz: 3-8
Columbia Adair Progress 3-9
Corbin Times Tribune: 3-9
Cumberland Tri City News: 3-9
Cynthiana Democrat: 3-10
Dawson Springs Progress: 3-10
Eddyville Herald Ledger: 3-9
Elizabethtown Hardin Inde: 3-10
Elizabethtown News Enter: 3-9
Falmouth Outlook 3-8
Fleming Co. News 3-10
Flemingsburg Gazette 3-16
Florence Boone Co. 3-10
Frankfort State Journal 3-9
Fulton Leader 3-9
Georgetown Graphic 3-8
Glasgow Daily Times 3-9
Greensburg Record Herald 3-9
Harlan Enterprise 3-9
Harrodsburg Herald: 3-10

Hartford Ohio Co. Times: 3-10
Henderson Gleaner 3-9
Hickman Courier 3-9
Hodgenville Larue Herald 3-9
Hopkinsville KY New Era 3-9
Irvine Citizen Voice Times 3-10
Irvine Estill Co. Tribune 3-9
Lagrange Oldham Era 3-10
Lancaster Central Record 3-10
Lawrenceburg Anderson News 3-9
Lebanon Enterprise: 3-9
Leitchfield News Gazette 3-12
Leitchfield Record 3-10
Lexington Herald Leader 3-9
Liberty Casey Co. News 3-9
London Sentinel Echo 3-9
Louisville Courier Journal 3-9
Madisonville Messenger: 3-9
Manchester Enterprise 3-17
Marion Crittenden Press 3-17
Maysville Ledger Indep: 3-9
Middlesboro Daily News: 3-15
Morehead News 3-8
Morganfield Union Co.: 3-9
Mt. Sterling Advocate 3-10
Mt. Vernon Signal 3-10
Munfordville Hart Co. News 3-10
New Castle Henry Co. Local 3-9
Nicholasville Jessamine: 3-10
Owensboro Messneger Inq: 3-9
Owenton News Herald 3-9
Owingsville Bath Co. Outlook: 3-9
Paducah Sun 3-9
Paris Bourbon Citizen 3-9
Pineville Sun 3-17
Princeton Times Leader 3-9
Providence Journal Enter:3-10
Richmond Register 3-9
Robertson Co. News 3-10
Russell Springs Times: 3-10

Page 2

Sebree Banner 3-10
Shelbyville Sentinel News 3-9
Shepherdsville Pioneer: 3-14
Smithland Livingston Ledger 3-8
Somerset Commonwealth: 3-9
Springfield Sun 3-9
Stanford Interior Journal 3-10
Sturgis News 3-9
Taylorsville Spencer Magnet 3-9
The Advocate Messenger 3-9
Three Forks Tradition 3-9
Versailles Woodford Sun 3-10
Warsaw Gallatin News 3-9
Whitley City McCreary Record 3-8
Whitley City McCreary Voice 3-10
Wickliffe Advance Yeoman 3-9
Williamsburg News Journal 3-9
Williamstown Grant Co. News 3-10
Winchester Sun 3-9

NOTICE OF PUBLIC HEARING

The Public Service Commission of Kentucky has issued an order on January 26, 2011 scheduling the hearing to be held on March 22, 2011 at 10:00 a.m. (Eastern Daylight time) in Hearing Room 1 of the Commission's offices located at 211 Sower Boulevard in Frankfort, Kentucky, for the purpose of cross-examining witnesses in Case No. 2010-00492 which is *An Examination of the Application of the Fuel Adjustment Clause of Kentucky Utilities Company from November 1, 2008 through October 31, 2010.*

Kentucky Utilities Company
220 West Main Street
Louisville, Kentucky 40202



KENTUCKY PRESS SERVICE

101 CONSUMER LANE
 FRANKFORT, KY 40601-
 Voice (502) 223-8821 Fax (502) 875-2624

Tuesday, March 15, 2011 01:42 PM

Invoice

Agency Vickie Harper
 LG&E and KU Services Company
 220 W. MAIN ST. 5TH FLOOR
 P.O. BOX 32010
 LOUISVILLE, KY 40202-

PO Number
Order 11032LKO

Client KENTUCKY UTILITIES

Newspaper

Caption	Run Date	Ad Size	Rate	Rate Name	Color	Disc.	Total
BARBOURVILLE MOUNTAIN ADVOCATE							
Notice--Case 2010-00492	03/10/2011	1 x 3.5	\$12.15	CLDIS	\$0.00	7.5000%	\$42.52
BARDSTOWN KENTUCKY STANDARD							
Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$19.19	CLDIS	\$0.00	7.5000%	\$67.16
BARDWELL CARLISLE CO. NEWS							
Notice--Case 2010-00492	03/10/2011	1 x 2.25	\$10.13	SAU	\$0.00	7.5000%	\$22.79
BARDWELL CARLISLE WEEKLY							
Notice--Case 2010-00492	03/16/2011	1 x 2.5	\$13.33	CLDIS	\$0.00	7.5000%	\$33.32
BEATTYVILLE ENTERPRISE							
Notice--Case 2010-00492	03/10/2011	1 x 2.5	\$5.50	CLDIS	\$0.00	7.5000%	\$13.75
BEDFORD TRIMBLE BANNER-DEMOCRAT							
Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$4.84	CLDIS	\$0.00	0.0000%	\$16.94
BEREA CITIZEN							
Notice--Case 2010-00492	03/10/2011	1 x 2.5	\$7.50	CLDIS	\$0.00	7.5000%	\$18.75
BROOKSVILLE BRACKEN CO. NEWS							
Notice--Case 2010-00492	03/10/2011	1 x 2.5	\$4.50	CLDIS	\$0.00	7.5000%	\$11.25
BROWNSVILLE EDMONSON NEWS							
Notice--Case 2010-00492	03/10/2011	1 x 3	\$6.00	CLDIS	\$0.00	7.5000%	\$18.00
CALHOUN MCLEAN CO. NEWS							
Notice--Case 2010-00492	03/10/2011	1 x 2.5	\$7.60	CLDIS	\$0.00	7.5000%	\$19.00
CAMPBELLSVILLE CENTRAL KY NEWS JOURNAL							
Notice--Case 2010-00492	03/07/2011	1 x 3.5	\$12.02	CLDIS	\$0.00	7.5000%	\$42.07
CARLISLE MERCURY							
Notice--Case 2010-00492	03/09/2011	1 x 2.5	\$5.70	CLDIS	\$0.00	7.5000%	\$14.25
CARROLLTON NEWS-DEMOCRAT							
Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$7.42	CLDIS	\$0.00	7.5000%	\$25.97
CAVE CITY BARREN CO. PROGRESS							
Notice--Case 2010-00492	03/10/2011	1 x 2.75	\$7.25	CLDIS	\$0.00	7.5000%	\$19.94
CENTRAL CITY LEADER NEWS							
Notice--Case 2010-00492	03/08/2011	1 x 2.75	\$7.33	CLDIS	\$0.00	7.5000%	\$20.16

ANY QUESTIONS CONCERNING TEARSHEETS AND ALL REQUESTS FOR ACCOUNT CREDIT MUST BE MADE WITHIN FIVE DAYS OF THE DATE OF THIS INVOICE. IF THE REQUEST IS NOT RECEIVED WITHIN FIVE DAYS, THE CLIENT IS RESPONSIBLE FOR FULL PAYMENT OF THE INVOICE AMOUNT. Amount Due Subject to 1.5% Service Charge After 30 Days Please Pay From This Invoice. No Statement Will Be Sent.



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Caption	Run Date	Ad Size	Rate	Rate Name	Color	Disc.	Total
CENTRAL CITY TIMES-ARGUS							
Notice--Case 2010-00492	03/09/2011	1 x 2.25	\$3.52	CLDIS	\$0.00	7.5000%	\$7.92
CLINTON HICKMAN CO. GAZETTE							
Notice--Case 2010-00492	03/08/2011	1 x 2.5	\$6.80	CLDIS	\$0.00	7.5000%	\$17.00
COLUMBIA ADAIR PROGRESS							
Notice--Case 2010-00492	03/09/2011	1 x 2.75	\$7.98	CLDIS	\$0.00	7.5000%	\$21.94
CORBIN TIMES-TRIBUNE							
Notice--Case 2010-00492	03/09/2011	1 x 4	\$13.17	CLDIS	\$0.00	7.5000%	\$52.68
CUMBERLAND TRI-CITY NEWS							
Notice--Case 2010-00492	03/09/2011	1 x 3.25	\$6.17	CLDIS	\$0.00	7.5000%	\$20.05
CYNTHIANA DEMOCRAT							
Notice--Case 2010-00492	03/10/2011	1 x 3.5	\$9.87	CLDIS	\$0.00	7.5000%	\$34.54
DAWSON SPRINGS PROGRESS							
Notice--Case 2010-00492	03/10/2011	1 x 3	\$4.30	CLDIS	\$0.00	7.5000%	\$12.90
EDDYVILLE HERALD-LEDGER							
Notice--Case 2010-00492	03/09/2011	1 x 4	\$6.00	CLDIS	\$0.00	7.5000%	\$24.00
ELIZABETHTOWN HARDIN CO. INDEPENDENT							
Notice--Case 2010-00492	03/10/2011	1 x 2.5	\$7.25	CLDIS	\$0.00	7.5000%	\$18.12
ELIZABETHTOWN NEWS-ENTERPRISE							
Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$24.47	CLDIS	\$0.00	7.5000%	\$85.64
FALMOUTH OUTLOOK							
Notice--Case 2010-00492	03/08/2011	1 x 2.5	\$15.95	CLDIS	\$0.00	7.5000%	\$39.88
Fleming Co. News							
Notice--Case 2010-00492	03/10/2011	1 x 2.5	\$5.70	CLDIS	\$0.00	7.5000%	\$14.25
FLEMINGSBURG GAZETTE							
Notice--Case 2010-00492	03/16/2011	1 x 2.5	\$6.00	CLDIS	\$0.00	7.5000%	\$15.00
FLORENCE--CLASSIFIED							
Notice--Case 2010-00492	03/10/2011	1 x 5	\$125.33	CLDIS	\$0.00	7.5000%	\$125.33
FRANKFORT STATE JOURNAL							
Notice--Case 2010-00492	03/09/2011	1 x 2.5	\$13.00	CLDIS	\$0.00	7.5000%	\$32.50

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Caption	Run Date	Ad Size	Rate	Rate Name	Color	Disc.	Total
FULTON LEADER							
Notice--Case 2010-00492	03/09/2011	1 x 3 25	\$7.60	CLDIS	\$0.00	7.5000%	\$24.70
GEORGETOWN NEWS-GRAPHIC							
Notice--Case 2010-00492	03/08/2011	1 x 3 5	\$8.45	CLDIS	\$0.00	7.5000%	\$29.58
GLASGOW DAILY TIMES							
Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$10.55	CLDIS	\$0.00	7.5000%	\$36.92
GREENSBURG RECORD-HERALD							
Notice--Case 2010-00492	03/09/2011	1 x 3 5	\$13.13	CLDIS	\$0.00	7.5000%	\$45.96
HARLAN DAILY ENTERPRISE							
Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$16.11	CLDIS	\$0.00	7.5000%	\$56.38
HARRODSBURG HERALD							
Notice--Case 2010-00492	03/10/2011	1 x 3.5	\$9.50	CLDIS	\$0.00	7.5000%	\$33.25
HARTFORD OHIO CO. TIMES-NEWS							
Notice--Case 2010-00492	03/10/2011	1 x 2 75	\$7.00	CLDIS	\$0.00	7.5000%	\$19.25
HENDERSON GLEANER							
Notice--Case 2010-00492	03/09/2011	1 x 2 25	\$17.55	SAU	\$0.00	7.5000%	\$39.49
HICKMAN COURIER							
Notice--Case 2010-00492	03/09/2011	1 x 2 5	\$6.50	CLDIS	\$0.00	7.5000%	\$16.25
HODGENVILLE LARUE CO. HERALD NEWS							
Notice--Case 2010-00492	03/09/2011	1 x 3 5	\$8.00	CLDIS	\$0.00	7.5000%	\$28.00
HOPKINSVILLE KENTUCKY NEW ERA							
Notice--Case 2010-00492	03/09/2011	1 x 4	\$24.22	CLDIS	\$0.00	7.5000%	\$96.88
IRVINE CITIZEN VOICE & TIMES							
Notice--Case 2010-00492	03/10/2011	1 x 2 75	\$5.24	CLDIS	\$0.00	7.5000%	\$14.41
IRVINE ESTILL CO. TRIBUNE							
Notice--Case 2010-00492	03/09/2011	1 x 2 5	\$2.00	CLDIS	\$0.00	7.5000%	\$5.00
LAGRANGE OLDHAM ERA							
Notice--Case 2010-00492	03/10/2011	1 x 3 5	\$12.87	SAU	\$0.00	7.5000%	\$45.04
LANCASTER CENTRAL RECORD							
Notice--Case 2010-00492	03/10/2011	1 x 4	\$9.33	CLDIS	\$0.00	7.5000%	\$37.32

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Caption	Run Date	Ad Size	Rate	Rate Name	Color	Disc.	Total
LAWRENCEBURG ANDERSON NEWS							
Notice--Case 2010-00492	03/09/2011	1 x 3 25	\$12.50	SAU	\$0.00	7.5000%	\$40.62
LEBANON ENTERPRISE							
Notice--Case 2010-00492	03/09/2011	1 x 3 5	\$10.13	CLDIS	\$0.00	7.5000%	\$35.46
LEITCHFIELD GRAYSON CO. NEWS GAZETTE							
Notice--Case 2010-00492	03/12/2011	1 x 4 5	\$10.33	CLDIS	\$0.00	7.5000%	\$46.48
LEITCHFIELD THE RECORD							
Notice--Case 2010-00492	03/10/2011	1 x 3 5	\$4.10	CLDIS	\$0.00	7.5000%	\$14.35
LEXINGTON HERALD-LEADER							
Notice--Case 2010-00492	03/09/2011	1 x 3 18	\$120.80	CLDIS	\$0.00	0.0000%	\$120.80
LIBERTY CASEY CO. NEWS							
Notice--Case 2010-00492	03/09/2011	1 x 3 5	\$9.38	CLDIS	\$0.00	7.5000%	\$32.83
LONDON SENTINEL-ECHO							
Notice--Case 2010-00492	03/09/2011	1 x 3 5	\$14.70	CLDIS	\$0.00	7.5000%	\$51.45
LOUISVILLE COURIER-JOURNAL							
Notice--Case 2010-00492	03/09/2011	1 x 5	\$109.64	CLDIS	\$0.00	0.0000%	\$548.20
MADISONVILLE MESSENGER							
Notice--Case 2010-00492	03/09/2011	1 x 2 75	\$17.23	CLDIS	\$0.00	7.5000%	\$47.38
MANCHESTER ENTERPRISE							
Notice--Case 2010-00492	03/17/2011	1 x 3	\$6.33	CLDIS	\$0.00	7.5000%	\$18.99
MARION CRITTENDEN PRESS							
Notice--Case 2010-00492	03/17/2011	1 x 2 5	\$8.13	CLDIS	\$0.00	7.5000%	\$20.32
MAYSVILLE LEDGER-INDEPENDENT							
Notice--Case 2010-00492	03/09/2011	1 x 2 75	\$19.50	CLDIS	\$0.00	7.5000%	\$53.62
MIDDLESBORO DAILY NEWS							
Notice--Case 2010-00492	03/15/2011	1 x 4	\$18.05	CLDIS	\$0.00	7.5000%	\$72.20
MOREHEAD NEWS							
Notice--Case 2010-00492	03/08/2011	1 x 3 5	\$11.15	CLDIS	\$0.00	7.5000%	\$39.02
MORGANFIELD UNION CO. ADVOCATE							
Notice--Case 2010-00492	03/09/2011	1 x 3 25	\$11.40	CLDIS	\$0.00	7.5000%	\$37.05

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Caption	Run Date	Ad Size	Rate	Rate Name	Color	Disc.	Total
MT. STERLING ADVOCATE Notice--Case 2010-00492	03/10/2011	1 x 2.5	\$9.97	CLDIS	\$0.00	7.5000%	\$24.92
MT. VERNON SIGNAL Notice--Case 2010-00492	03/10/2011	1 x 2.75	\$6.90	CLDIS	\$0.00	7.5000%	\$18.98
MUNFORDVILLE HART CO. NEWS-HERALD Notice--Case 2010-00492	03/10/2011	1 x 2.75	\$7.25	CLDIS	\$0.00	7.5000%	\$19.94
NEW CASTLE HENRY CO. LOCAL Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$10.77	CLDIS	\$0.00	7.5000%	\$37.70
NICHOLASVILLE JESSAMINE JOURNAL Notice--Case 2010-00492	03/10/2011	1 x 3.5	\$17.42	CLDIS	\$0.00	7.5000%	\$60.97
OWENSBORO MESSENGER-INQUIRER Notice--Case 2010-00492	03/09/2011	1 x 2.5	\$40.55	CLDIS	\$0.00	7.5000%	\$101.38
OWENTON NEWS-HERALD Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$7.75	CLDIS	\$0.00	7.5000%	\$27.12
OWINGSVILLE BATH CO. NEWS-OUTLOOK Notice--Case 2010-00492	03/09/2011	1 x 2.5	\$5.70	CLDIS	\$0.00	7.5000%	\$14.25
PADUCAH SUN Notice--Case 2010-00492	03/09/2011	1 x 5	\$30.63	CLDIS	\$0.00	0.0000%	\$153.15
PARIS BOURBON CO. CITIZEN Notice--Case 2010-00492-- also place in Advertisier 3-14	03/09/2011	1 x 2.75	\$9.50	CLDIS	\$0.00	7.5000%	\$26.12
PINEVILLE SUN Notice--Case 2010-00492	03/17/2011	1 x 2.25	\$10.89	CLDIS	\$0.00	7.5000%	\$24.50
PRINCETON TIMES LEADER Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$6.00	CLDIS	\$0.00	7.5000%	\$21.00
PROVIDENCE JOURNAL-ENTERPRISE Notice--Case 2010-00492	03/10/2011	1 x 2.5	\$6.95	CLDIS	\$0.00	7.5000%	\$17.38
RICHMOND REGISTER Notice--Case 2010-00492	03/09/2011	1 x 4	\$11.26	CLDIS	\$0.00	7.5000%	\$45.04
ROBERTSON COUNTY NEWS Notice--Case 2010-00492	03/10/2011	1 x 2.5	\$5.70	CLDIS	\$0.00	7.5000%	\$14.25

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RUSSELL SPRINGS TIMES-JOURNAL							
Notice--Case 2010-00492	03/10/2011	1 x 2.5	\$7.55	CLDIS	\$0.00	7.5000%	\$18.88
SEBREE BANNER							
Notice--Case 2010-00492	03/10/2011	1 x 3	\$5.00	CLDIS	\$0.00	7.5000%	\$15.00
SHELBYVILLE SENTINEL-NEWS							
Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$13.05	CLDIS	\$0.00	7.5000%	\$45.68
SHEPHERDSVILLE PIONEER-NEWS							
Notice--Case 2010-00492	03/14/2011	1 x 3.5	\$12.61	CLDIS	\$0.00	7.5000%	\$44.14
SMITHLAND LIVINGSTON LEDGER							
Notice--Case 2010-00492	03/08/2011	1 x 2.25	\$10.13	SAU	\$0.00	7.5000%	\$22.79
SOMERSET COMMONWEALTH-JOURNAL							
Notice--Case 2010-00492	03/09/2011	1 x 3	\$15.20	CLDIS	\$0.00	7.5000%	\$45.60
SPRINGFIELD SUN							
Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$9.41	CLDIS	\$0.00	7.5000%	\$32.94
STANFORD INTERIOR JOURNAL							
Notice--Case 2010-00492	03/10/2011	1 x 3.5	\$7.48	CLDIS	\$0.00	7.5000%	\$26.18
STURGIS NEWS							
Notice--Case 2010-00492	03/09/2011	1 x 3	\$4.00	CLDIS	\$0.00	7.5000%	\$12.00
TAYLORSVILLE SPENCER MAGNET							
Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$8.00	CLDIS	\$0.00	7.5000%	\$28.00
THE ADVOCATE-MESSENGER							
Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$17.78	CLDIS	\$0.00	7.5000%	\$62.23
THREE FORKS TRADITION							
Notice--Case 2010-00492	03/09/2011	1 x 2.75	\$6.33	CLDIS	\$0.00	7.5000%	\$17.41
VERSAILLES WOODFORD SUN							
Notice--Case 2010-00492	03/10/2011	1 x 2.5	\$9.45	CLDIS	\$0.00	7.5000%	\$23.62
WARSAW GALLATIN CO. NEWS							
Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$5.68	CLDIS	\$0.00	7.5000%	\$19.88
WHITLEY CITY MCCREARY CO. RECORD							
Notice--Case 2010-00492	03/08/2011	1 x 3.5	\$5.78	CLDIS	\$0.00	7.5000%	\$20.23

ANY QUESTIONS CONCERNING TEARSHEETS AND ALL REQUESTS FOR ACCOUNT CREDIT MUST BE MADE WITHIN FIVE DAYS OF THE DATE OF THIS INVOICE. IF THE REQUEST IS NOT RECEIVED WITHIN FIVE DAYS, THE CLIENT IS RESPONSIBLE FOR FULL PAYMENT OF THE INVOICE AMOUNT. Amount Due Subject to 1.5% Service Charge After 30 Days Please Pay From This Invoice. No Statement Will Be Sent.



KENTUCKY PRESS SERVICE

101 CONSUMER LANE
 FRANKFORT, KY 40601-
 Voice (502) 223-8821 Fax (502) 875-2624

Tuesday, March 15, 2011 01:42 PM

Invoice

Agency Vickie Harper
 LG&E and KU Services Company
 220 W. MAIN ST. 5TH FLOOR
 P.O. BOX 32010
 LOUISVILLE, KY 40202-

PO Number
Order 11032LK0

Client KENTUCKY UTILITIES

Newspaper

Caption	Run Date	Ad Size	Rate	Rate Name	Color	Disc.	Total
WHITLEY MCCREARY CO. VOICE							
Notice--Case 2010-00492	03/10/2011	1 x 3.25	\$5.75	CLDIS	\$0.00	7.5000%	\$18.69
WICKLIFFE ADVANCE YEOMAN							
Notice--Case 2010-00492	03/09/2011	1 x 2.25	\$10.13	SAU	\$0.00	7.5000%	\$22.79
WILLIAMSBURG NEWS-JOURNAL							
Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$14.95	CLDIS	\$0.00	7.5000%	\$52.32
WILLIAMSTOWN GRANT COUNTY NEWS							
Notice--Case 2010-00492	03/10/2011	1 x 3.5	\$7.75	CLDIS	\$0.00	7.5000%	\$27.12
WINCHESTER SUN							
Notice--Case 2010-00492	03/09/2011	1 x 3.5	\$16.41	CLDIS	\$0.00	7.5000%	\$57.44

Total Advertising	\$3,834.46
Discounts	\$224.68
Tax: USA	\$0.00
Total Invoice	\$3,609.78
Payments	\$0.00
Adjustments	\$0.00
Balance Due	\$3,609.78

ANY QUESTIONS CONCERNING TEARSHEETS AND ALL REQUESTS FOR ACCOUNT CREDIT MUST BE MADE WITHIN FIVE DAYS OF THE DATE OF THIS INVOICE. IF THE REQUEST IS NOT RECEIVED WITHIN FIVE DAYS, THE CLIENT IS RESPONSIBLE FOR FULL PAYMENT OF THE INVOICE AMOUNT. Amount Due Subject to 1.5% Service Charge After 30 Days Please Pay From This Invoice. No Statement Will Be Sent.

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAR 18 2011

PUBLIC SERVICE
COMMISSION

In the Matter of:

**AN EXAMINATION OF THE APPLICATION)
OF THE FUEL ADJUSTMENT CLAUSE OF)
KENTUCKY UTILITIES COMPANY FROM)
NOVEMBER 1, 2008 THROUGH)
OCTOBER 31, 2010)**

CASE NO. 2010-00492

PETITION FOR APPROVAL TO DEVIATE FROM RULE

Kentucky Utilities Company (“KU”) petitions the Kentucky Public Service Commission (“Commission”) to grant KU approval, pursuant to 807 KAR 5:011 § 14, to deviate from the Notice of Public Hearing requirement¹ in the above-captioned proceeding because KU has substantially complied with the Commission’s notice regulations. In support of this petition, KU states as follows:

1. Pursuant to KRS 424.200, newspaper publication of rate change hearings must be in accordance with the Commission’s regulations.

2. The Commission’s regulations prescribe that newspaper publication of a rate change hearing must occur in a newspaper of general circulation in the areas to be affected “one time not less than seven nor more than twenty-one days prior to the hearing.” 807 KAR 5:011 § 8 (5).

3. The purpose of the Commission’s rate change notice regulations is to ensure that members of the public have sufficient notice and a meaningful opportunity to participate, individually or through representative agencies, in this proceeding. As stated by the Kentucky Supreme Court:

¹ 807 KAR 5:011 § 8 (5).

Substantial compliance in regard to publication requirements has been authorized. The purpose of the statute is to allow the public an ample opportunity to become sufficiently informed on the public question involved.²

Publication of Notice

4. On January 26, 2011, the Commission ordered KU to submit to an examination on the application of its fuel adjustment clause (“FAC”) from November 1, 2008 through October 31, 2010. The hearing will be held on March 22, 2011.

5. In accordance with the Commission’s notice regulations, KU contacted the Kentucky Press Association on February 25, 2011 to arrange for a Notice of Public Hearing to be published in 95 newspapers in KU’s service areas during the time period March 1, 2011 to March 15, 2011.

6. KU’s efforts notwithstanding five papers failed to publish the notice as requested: (1) *The Manchester Enterprise*, a small weekly newspaper published in Clay County, Kentucky, failed to publish the notice as requested on March 10, 2011, mistakenly publishing one for Kentucky Power Company instead of KU; (2) the *Pineville Sun* in Bell County also did not run the notice. However, this paper is not the largest paper in the county. The *Middlesboro Daily News*, the largest newspaper in Bell County, did run the notice as requested; (3) the *Flemingsburg Gazette*, a weekly newspaper in Fleming County, also failed to publish as requested; (4) the *Bardwell Carlisle Weekly*, the smallest, weekly paper in Carlisle County, failed to publish as requested. However, *Carlisle County News*, the largest newspaper in Carlisle County, did publish as requested; and (5) Finally, the *Marion Crittenden Press*, the only

² *Conrad v. Lexington-Fayette Urban County Government*, 659 S.W.2d 190, 195 (1983) (citing *Queenan v. City of Louisville*, 233 S.W.2d 1010 (1950)). See also *Lyon v. County of Warren*, 325 S.W.2d 302 (1959) (publishing notice of bond referendum outside statutory time limits, accompanied by media attention and other means, held sufficient notice to public).

newspaper in Crittenden County, failed to publish as requested. At KU's request, each of these notices were published one week later, on March 16 or 17, 2011, one or two days outside of the rule.³

Request for Deviation from Rule

7. In view of the timely published notice KU has provided throughout the vast majority of the newspapers in its service territory – including the two newspapers of largest circulation in the Commonwealth, the *Lexington Herald-Leader* and the *Louisville Courier-Journal*, and the efforts made by KU to ensure that timely notice was received, KU respectfully requests a deviation from the Commission's Notice of Public Hearing regulation with respect to the instances of non-conformity cited above. Ninety newspapers, whether the legally required newspapers or not, published timely notice. At KU's insistence, the few legally required newspapers that failed to publish timely notice ultimately published within two days of the rule.

8. As noted at the beginning of this Petition, the Kentucky Supreme Court has stated, "Substantial compliance in regard to publication requirements has been authorized. The purpose of the statute is to allow the public an ample opportunity to become sufficiently informed on the public question involved."⁴ KU respectfully submits that it has substantially complied with the Commission's notice regulations, therefore achieving their purpose, namely ensuring that the public has sufficient notice of the proceeding and a meaningful opportunity to participate, individually or through representative agencies. KU therefore respectfully requests

³ See Affidavit of the Kentucky Press Service attached as Exhibit 1.

⁴ *Conrad v. Lexington-Fayette Urban County Government*, 659 S.W.2d 190, 195 (1983) (citing *Queenan v. City of Louisville*, 233 S.W.2d 1010 (1950)). See also *Lyon v. County of Warren*, 325 S.W.2d 302 (1959) (publishing notice of bond referendum outside statutory time limits, accompanied by media attention and other means, held sufficient notice to public).

the Commission to grant a deviation from its Notice of Public Hearing regulation, deeming KU's substantial compliance to be sufficient compliance with the regulation in this proceeding.

9. KU's request for deviation from the Commission's notice of public hearing regulation is similar to a request made to the Commission on January 9, 2009, and granted by the Commission on January 16, 2009, in the *Application of Kentucky Utilities Company for an Adjustment of Electric Base Rates*, Case No. 2008-00251.

WHEREFORE, Kentucky Utilities Company respectfully requests that, pursuant to 807 KAR 5:011 § 14, the Commission grant a deviation from its Notice of Public Hearing regulation, deeming KU's substantial compliance to be sufficient compliance with the regulation in this proceeding.

Dated: March 18, 2011

Respectfully submitted,




Allyson R. Sturgeon
Senior Corporate Attorney
LG&E and KU Services Company
220 West Main Street
Post Office Box 32010
Louisville, Kentucky 40232
Telephone: (502) 627-2088

Counsel for Kentucky Utilities Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the above and foregoing Motion was dispatched for filing with the Kentucky Public Service Commission on the 18th day of March 2011.



Counsel for Kentucky Utilities Company