

# STITES & HARBISON<sup>PLLC</sup>

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May 5, 2011

Mr. Jeff DeRouen, Executive Director  
Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, KY 40602-0615

RECEIVED

MAY 6 2011

PUBLIC SERVICE  
COMMISSION

David C. Brown  
(502) 681-0421  
(502) 779-8251 FAX  
dbrown@stites.com

RE: LG&E / KU Demand-Side Management; Docket No. 2011-00134

Dear Mr. DeRouen:

Enclosed for filing in the above docket are the original and ten (10) copies of the Petition for Full Intervention of The Kroger Company.

Very truly yours,



David C. Brown

DCB/dab

Enclosure

KR091:000KR.833129.1.LOUISVILLE

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAY 6 2011

PUBLIC SERVICE  
COMMISSION

In The Matter of:

JOINT APPLICATION OF LOUISVILLE )  
GAS AND ELECTRIC COMPANY AND ) CASE NO. 2011 - 00134  
KENTUCKY UTILITIES COMPANY FOR )  
REVIEW, MODIFICATION AND )  
CONTINUATION OF EXISTING, AND )  
ADDITION OF NEW DEMAND-SIDE )  
MANAGEMENT AND ENERGY-EFFICIENCY )  
PROGRAMS )

**PETITION FOR FULL  
INTERVENTION OF THE KROGER CO.**

Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), The Kroger Co. (“Kroger”) requests that it be granted full intervention in the above captioned proceeding and states in support thereof as follows:

1. Kroger operates over a hundred and ten retail stores and distribution centers throughout the service areas of Louisville Gas & Electric Company (“LG&E”) and Kentucky Utilities Company (“KU”) (together, the “Utilities”). Kroger has a special interest in the proposed programs that will be reviewed in this proceeding and its interest cannot be adequately represented by any existing party. Kroger intends to play a constructive role in the Commission’s decision making process and its participation will not unduly prejudice any party.

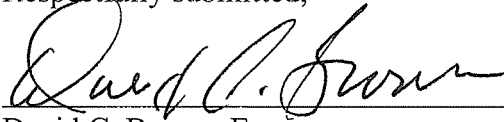
2. The attorney for Kroger authorized to represent it in this proceeding and to take service of all documents is:

David C. Brown, Esq.  
Stites & Harbison, PLLC  
400 W. Market Street, Suite 1800  
Louisville, KY 40202  
Phone: (502) 681-0421

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E-mail: dbrown@stites.com

**WHEREFORE**, The Kroger Co. requests that it be granted full intervention in the above captioned proceeding.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David C. Brown", is written over a horizontal line.

David C. Brown, Esq.  
Stites & Harbison, PLLC  
400 West Market Street, Suite 1800  
Louisville, KY 40202  
**Counsel for The Kroger Co.**

## CERTIFICATE

I hereby certify that a copy of the foregoing Petition for Full Intervention has been served by United States mail, postage prepaid, on the following persons this the 5<sup>th</sup> day of May, 2011:

Kendrick R. Riggs, Esq.  
Stoll, Keenon & Odgen, PLLC  
2000 PNC Plaza  
500 West Jefferson Street  
Louisville, Kentucky 40202

and

Allyson K. Sturgeon  
Senior corporate Attorney  
200 West main Street  
Louisville, Kentucky 40202  
**Counsel for Louisville Gas and Electric  
Company and Kentucky Utilities**

David J. Barberie  
Department of Law  
200 East Main Street  
Lexington, Kentucky 40507  
**Counsel for Lexington-Fayette county  
Urban city Government**

Dennis Howard, Esq  
Assistant Attorney General  
1024 Capital Center Drive  
Frankfort, Kentucky 40601  
**Counsel for the Office of the  
Attorney General of Kentucky**

Iris G. Skidmore  
415 West Main Street, Suite 2  
Frankfort, Kentucky 40601  
**Counsel for Community Action Council  
for Lexington-Fayette, Bourbon,  
Harrison & Nicholas Counties**



David C. Brown