## COMMONWEALTH OF KENTUCKY

PLCE.	IVED
-------	------

# BEFORE THE PUBLIC SERVICE COMMISSION AUG 2 1 2012

	2012
In the Matter of:	PUBLIC SERVICE COMMISSION
DAVID BALLANTINE BELL	)
COMPLAINANT V.	) ) CASE NO. ) 2012-00312
MEADE COUNTY RURAL ELECTRIC COOPERATIVE CORPORATION	) ) )
DEFENDANT	j

#### <u>ANSWER</u>

Comes Meade County Rural Electric Cooperative Corporation (Meade), the above named Defendant, by counsel, and pursuant to the Order entered by the Kentucky Public Service Commission on August 10, 2012, and 807 KAR 5:001, Section 12, files its Answer to the Complaint in the proceeding, respectfully states:

### FIRST DEFENSE

The Complaint fails to state a claim upon which relief can be granted.

#### SECOND DEFENSE

Meade admits the allegation in the Complaint that the complainant has spoken with its employee, Mr. Poe, about his electric problems and that Mr. Poe informed the complainant that monitors had been placed on the power lines. Meade also admits that Mr. Poe, its employee, indicated to complainant that outside consultants were gathering information. Meade does not have sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in the Complaint and at this time denies the same.

# THIRD DEFENSE

Meade and Hilltop Big Bend Quarries, LLC (Hilltop) are conducting concurrent testing in order to determine whether problem(s) exist concerning this complainant.

WHEREFORE, the Defendant prays as follows:

- 1. That the Complaint be dismissed.
- 2. That the Kentucky Public Service Commission allows Meade and Hilltop to conduct its concurrent testing within a reasonable period of time to determine if problem(s) exist and whether solution(s) can be established.
  - 3. For all other relief to which Meade may appear entitled.

THOMAS C. BRITE BRITE & HOPKINS, PLLC

P.O. BOX 309

HARDINSBURG, KENTUCKY 40143

ATTORNEY FOR PLAINTIFF,

MEADE COUNTY RURAL ELECTRIC COOPERATIVE CORPORATION

### CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the foregoing Answer was on this <u>17</u> day of August, 2012 mailed to David Ballantine Bell, 5615 Big Bend Road, Battletown, Kentucky 40104.

THOMAS C. BRITE

ATTORNEY FOR MEADE COUNTY RURAL ELECTRIC COOPERATIVE

CORPORATION

C:Dicta-Tom-let-2012\Meade Co RECC v. Bell, David.Answer.doc\bep