

Lexington
Fayette
Urban
County
Government



September 8, 2004

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PUBLIC SERVICE
COMMISSION

DEPARTMENT OF LAW

Ms. Beth O'Donnell
Executive Director
Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, Kentucky 40602-061

Re: Case No. 2004-00067 (Delta Natural Gas Company, Inc. – Adjustment of Rates)

Dear Ms. O'Donnell:

Please find enclosed herewith for filing an original and 10 copies of the Lexington-Fayette Urban County Government's Brief in the referenced matter. Please contact me should you have any questions pertaining to the same.

Yours truly,

A handwritten signature in black ink, appearing to read "David J. Barberie".

David J. Barberie
Corporate Counsel

ENC

DJB/let414

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In the Matter of:

APPLICATION OF DELTA NATURAL GAS)
COMPANY, INC. FOR AN ADJUSTMENT)
OF RATES)

CASE NO. 2004-00067

**LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT'S BRIEF**

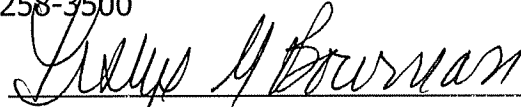
COMES the Lexington-Fayette Urban County Government ("LFUCG"), by counsel and pursuant to the May 10, 2004 Order of the Public Service Commission and files its brief.

Although the evidence presented in this case does support a rate increase for Delta Natural Gas Company, Inc. ("Delta"), it does not support an increase of the magnitude requested in its application. The LFUCG therefore joins in the arguments of the Kentucky Attorney General with respect to the appropriate amount of the overall increase to which Delta is entitled, as well as the appropriate apportionment of such an increase among and between each respective ratepayer classification. The LFUCG further adopts and incorporates by reference herein the relevant portions the Attorney General's evidence, including but not limited to the testimony of its witnesses, and the arguments made in its brief.

Respectfully submitted,

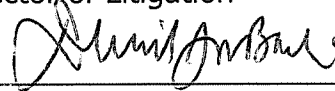
LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT
Department of Law
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

BY:



Leslye M. Bowman
Director of Litigation

BY:



David J. Barberie
Corporate Counsel

ATTORNEYS FOR LEXINGTON-FAYETTE
URBAN COUNTY GOVERNMENT

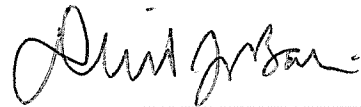
CERTIFICATE OF SERVICE

I hereby certify that an original and ten (10) copies of the foregoing was served by first class U.S. Mail delivery, postage prepaid, to Beth O'Donnell, Executive Director, Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602-0615; furthermore, it was served by mailing a copy by first class U.S. Mail delivery, postage prepaid, on the following, all on this the 8th day of September, 2004.

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Honorable Dennis G. Howard II
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Honorable Robert M. Watt, III and *Hon.*
Roger Cowden
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ATTORNEY FOR LEXINGTON-FAYETTE
URBAN COUNTY GOVERNMENT

G:Barberie\PSC\2004-00067\Brief



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Lexington - Fayette Urban County Government

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TO: Ms. Beth O'Donnell
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