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JOHN J. FINNIGAN, JR.
Senior Counsel

VIA OVERNIGHT MAIL



September 27, 2004

Ms. Elizabeth O'Donnell
Executive Director,
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, Kentucky 40602-0615

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SEP 28 2004

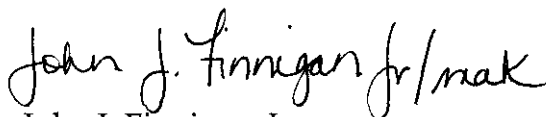
PUBLIC SERVICE
COMMISSION

Re: Case No. 2004-00298

Dear Ms. O'Donnell:

Enclosed for filing please find an original and twelve (12) copies of The Union Light, Heat and Power Company's Notice of Withdrawal of Application for Permission to Use Small-Sized Steele Pipe Samples for Tensile Testing Required Under The Commission's Gas Pipeline Safety Rules in the above-captioned case. Please return to me two (2) file-stamped copies in the enclosed overnight mail envelope. Should you have any questions, please do not hesitate to contact me at (513) 287-3601.

Sincerely,


John J. Finnigan, Jr.

JJF/mak

Enclosures

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SEP 28 2004

PUBLIC SERVICE
COMMISSION

BEFORE

THE KENTUCKY PUBLIC SERVICE COMMISSION

In the Matter of the Request of)
The Union Light, Heat and Power)
Company For a Waiver of the)
Requirements of 49 CFR 192)
Appendix B Relating to Tensile)
Testing)

Case No. 2004-00298

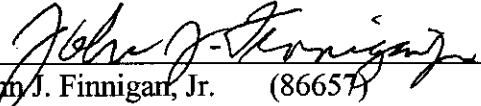
**THE UNION LIGHT, HEAT AND POWER COMPANY'S
NOTICE OF WITHDRAWAL OF
APPLICATION FOR PERMISSION
TO USE SMALL-SIZED STEEL PIPE SAMPLES FOR
TENSILE TESTING REQUIRED UNDER
THE COMMISSION'S GAS PIPELINE SAFETY RULES**

The Union Light, Heat and Power Company (ULH&P) respectfully hereby withdraws its application seeking authorization to use small-sized samples for tension testing of steel pipe and fittings, pursuant to the procedures provided for under 49 CFR 192.7(b), Appendix B(11)(D) and 192.107. ULH&P has determined that, with the amount of pipe it plans to test at this time and its plan to commence the testing in the near future, it will be more efficient and economical to perform the testing using the regular-sized samples pursuant to the applicable regulations. ULH&P reserves the right to re-file this application at a future date if it determines that testing with small-sized samples is appropriate.

WHEREFORE, ULH&P respectfully withdraws its application for authority to use small-sized samples for tensile testing of steel pipe and fittings, as requested herein.

Respectfully submitted,

THE UNION LIGHT, HEAT
AND POWER COMPANY


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