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September 1, 2004

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PUBLIC SERVICE
COMMISSION

VIA FACSIMILE (564-7279)
& FIRST CLASS MAIL

Kentucky Public Service Commissioner
Jason Bentley, Esq., General Counsel
P.O. Box 615
Frankfort, KY 40602

Administrative Case 2004-00343

RE: *St. Joseph Catholic Orphan's Society and Louis K. Klemenz ("Clients")*
807 KAR 5:120 ("Reg")

Dear Mr. Bentley:

This letter is submitted on behalf of Clients with respect to the Reg. Clients respectively own an interest in a certain parcel of real estate having a common property line with the easterly line of the Gene Snyder Freeway located in Louisville, Jefferson County, Kentucky.

LG&E has informed Clients that it wants to acquire an easement over a portion of their property to extend electrical transmission lines. LG&E has reported that it intends to extend two (2) 138 KV lines from its Middletown Substation to its Ford Substation.

We have reviewed the Statement of Emergency 807 KAR 5:120(E) filed on July 13, 2004 with the Kentucky Legislative Research Commission, and the New Administrative Regulation 807 KAR 5:120(E) regarding Applications for a Certificate of Public Convenience and Necessity for Certain Electric Transmission Lines.

The Statement and the Regulation set forth a clear statement as to purposes and effect. Property owners are thereby granted rights which include prior notice with respect to a utility constructing electric transmission lines of 138 KV, or more, and more than 5,280 feet in length. Such an extension is being sought by LG&E.

Jason Bentley, Esq.
September 1, 2004
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The Statement of Emergency makes specific reference to the procedure needed to prevent, in part, harm to public health and the environment. Those objectives are of primary importance not only to landowners who may be affected but also to the government in protecting public health and environment without regard for the affect of the proposed use.

The Kentucky Public Service Commission has jurisdiction to review not only rates but equally the service of utilities as it primarily affects Kentucky citizens. In the exercise of its jurisdiction and to afford the citizens of Kentucky an opportunity to be heard, it is submitted that the Regulation is requisite to assure the opportunity to be heard at such time(s) as a utility may propose to extend its services as defined within the Regulation.

The enactment of Senate Bill 246 provides property owners a right to be heard. It permits an even playing field for all affected to express their respective positions. To do otherwise would be a denial of equal rights.

Very truly yours,



Harry Lee Meyer

HLM/emd

cc: St. Joseph Catholic Orphan Society, Inc.
Attn: Mr. John Straub
Mr. Louis K. Klemenz