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BEFORE THE  
PUBLIC SERVICE COMMISSION  
FRANKFORT, KENTUCKY

JUN 30 2005

PUBLIC SERVICE  
COMMISSION

IN RE: THE MATTER OF

KENTUCKY UTILITIES, COMPANY

APPLICANT

and

2005-00154

CONCERNED CITIZENS AGAINST THE  
TRANSMISSION LINE

INTERVENOR

**CONCERNED CITIZENS'**  
**DATA REQUESTS AND**  
**REQUESTS FOR PRODUCTION OF DOCUMENTS**

Comes the Intervenor, Concerned Citizens Against The Transmission Line ("Citizens"), and propounds the following Data Requests to the Applicant, Kentucky Utilities Company ("KU").

**DEFINITIONS AND INSTRUCTIONS**

1. "Application" means the formal application KU filed with the Public Service Commission ("PSC") for Certificate of Necessity for construction of a 138 kV, Case No.

~~2005-0015~~ 4

2. "Commission" means the PSC.

3. "Document" is used in the broadest sense and is intended to include the original and all drafts and non identical copies of any writings, printed matter or computer-readable matter of any kind in the possession, custody or control of you or your agents, including but not limited to, all written material, whether typed, handwritten, printed, photocopied or otherwise, drawings, graphs, charts, photographs, tape recordings and all transcriptions of such recordings, microfilm, microfiche, tapes, discs,

computer readable records or programs, and other data from which information can be obtained.

4. "Citizens" means Concerned Citizens Against The Transmission Line and identified below.<sup>1</sup>

5. "Formal Hearing" as used in these data requests means the formal hearing scheduled for July 26, 2005, in which the parties will present evidence regarding KU's application and the Citizens challenge thereto.

6. "Identify," with respect to a fact, means to state clearly and unambiguously the fact in as much detail as possible.

7. "Identify," with respect to a person, means to give the person's full name, address, and telephone number.

8. "KU" means Kentucky Utilities Company, Louisville Gas & Electric Company and any parent company, subsidiary company or other entity.

9. "Person" includes any natural person, firm, association, partnership, corporation, or other legal entity.

10. "Public Hearing" as used in these data requests means the public forum hearing scheduled before the Public Service Commission on Tuesday, July 5, 2005, in which the Commission will hear evidence regarding the Citizens Motion to

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<sup>1</sup>The Citizens group is an unincorporated association comprised of the following 28 members, who have all received notice from Kentucky Utilities of the Proposed Construction of an electric transmission line that will cross their property located in Anderson County and Franklin County, Kentucky. Together, they have formed the Concerned Citizens Against Power Line Extension Group, and are identified as follows: Thomas H. Smith, Clyde H. Smith, Fred Bradley, Harold Darnaby, Philip Case, Gary Thornton, Mike Brewer, Michael D. Green, Dennis Monohan, Pat Monohan, David Mountjoy, June Mountjoy, Jerry Hughes, Lisa Hughes, James R. "Buddy" Smith, Bruce Hall, Harold Hall, Hobart C. Hearn, Kevin M. Smith, Catherine Smith, Ronald Dempsey, Patty Dempsey, Larry Smith, Wayne Morris, Emily Shaw, Lyle Shaw, Jim Green, David Green, Faye Green, and Highpoint Construction, LLC.

Intervene from the Citizens, their counsel, and/or other interested parties in this matter.

11. The term “relating to” includes, but is not limited to, the following meanings: bearing upon, concerning, addressing, respecting, regarding, discussing, mentioning, describing, reflecting, responding to, identifying, constituting, pertaining to, having to do with or being in any way pertinent to the given subject.

12. “Proposed Route” means the 124 mile, 138 kV “Benson Valley Route”.

13. “Route” means any and all routes considered by KU prior to its selection of the Benson Valley Route.

14. “You,” “your,” “LG&E,” and “KU” means Kentucky Utilities Company, its current and former subsidiaries, affiliates, entities with fictitious names, attorneys, shareholders, agents, servants, employees, consultants and representatives, or any other person authorized to act on its behalf.

15. Please identify the witness who will be prepared to answer questions concerning each request.

16. These requests shall be deemed continuing so as to require further and supplemental responses if the company receives or generates additional information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.

17. If any request appears confusing, please request clarification directly from either Robert C. Moore or Laurie K. Dudgeon in the Office of Hazelrigg & Cox, LLP.

18. To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.

19. To the extent that any request may be answered by way of a computer printout, please identify each variable contained in the printout which would not be self evident to a person not familiar with the printout.

20. If the company has objections to any request. on the grounds that the requested information is proprietary in nature, or for any other reason, please notify the Office of Hazelrigg & Cox, LLP.

21. In the event any document called for has been destroyed or transferred beyond the control of the company, please state: the identity of the person by whom it was destroyed or transferred, and the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

22. If any request for production of documents or data requests cannot be responded to in full, respond to it to the fullest extent possible, specifying the reasons for your inability to respond fully and identifying the date by which you will make a complete response.

23. If any otherwise responsive document was, but is no longer in existence or in your possession, custody, or control, identify its current or last known custodian, the location/address of each such document, and describe in full why the document is no longer in existence or within your possession, custody or control.

24. If a claim of privilege or work product is asserted concerning any information sought or any documents for which identification or production is requested, provide the following:

- a. the date of the document;
- b. its subject matter;
- c. the type of document (e.g., letter, memo, report, minutes, and the like);
- d. the identities of all persons who prepared, authored, received, viewed, or has had possession, custody or control of the document since it was created; and
- e. the privilege claimed and the basis for the claim.

25. For purposes of these data requests, the following shall be deemed inclusive of each other in such a way as to call for the broadest possible response to the discovery request in question: the singular and plural; masculine, feminine, and neuter; and conjunctive and disjunctive.

26. In your written responses to the following data requests, please type the request to which you are responding immediately before your response. At request of counsel, the undersigned counsel will provide the text of these discovery requests on computer disk.

#### DATA REQUESTS

1. Identify, describe in detail and provide all facts and documents regarding the cost analyses performed by or on behalf of KU for any transmission alternative considered for construction of the line from the Tyrone Substation to the West Frankfort Substation. Each analysis should include all cost estimates, identify the sources of the cost information, describe all assumptions used to develop the analysis, and include any supporting documentation.

2. Identify, describe and explain in detail the photo science process and the factors analyzed and discussed in the affidavit of Nate Mullins which was filed in support of the application. Please provide a copy of that report.
3. Identify, describe and explain in detail whether or not KU evaluated the possibility of upgrading any existing lines.
4. Identify, describe and explain in detail the reasons for not locating this route adjacent to an existing roadway, including but not limited to, Highway 127, Highway 151 or Interstate 64.
5. Identify, describe, explain in detail and produce copies of the EPRI analysis and report.
6. Identify any existing linear facilities considered.
7. Identify, describe and explain in detail the six (6) routes identified on page 6 of the application.
8. Identify, explain in detail and provide all facts and documents that record, describe, support, refer, or relate to KU's best estimate of the annual cost it would incur to operate this line and describe any operating problems it would incur if this proposed transmission line is not operational.
9. Identify and explain why KU's application is not premature in light of the pendency of the Commission's decision in Case No. 2004-00507.
10. Identify, describe and explain in detail the projected cost of easement purchases in relation to the construction of this line.
11. Identify, describe and explain in detail whether or not the proposed construction cost of this line includes the condemnation costs of all property involved, and provide a

breakdown of that cost estimate.

12. Identify and explain in detail the process of why the proposed route is the most cost effective in light of the value of farmland that would be condemned or purchased to build this line.

13. Identify, provide all documents and explain in detail the process by which KU established a per acre value of the farmland to be condemned for construction of the right of way for the transmission line in question.

14. Identify, provide all documents and explain in detail the process by which KU determined how many acres would be condemned for the construction of the proposed line.

15. Identify each and every meeting KU or its representatives had with any citizen, chamber of commerce, local Governmental office or Board (including but not limited to the PSC), whether this meeting was scheduled or unscheduled, and if it related to the substance of this application.

16. Identify, describe and explain in detail the service line to the BFI facility located in Franklin County, and that line's size and/or capacity.

17. Identify, describe and explain in detail whether the line at issue in this application is needed to meet current power demands.

18. Identify, describe and explain in detail what area would be served by this line, and whether this area is located in Franklin, Anderson or Woodford Counties.

19. Identify, describe, explain in detail and produce any documents showing all existing rights of way owned by KU, or other power companies, located in Franklin, Anderson or Woodford Counties.

20. Identify, describe and explain in detail whether KU considered the existing right of way for Highway 151.
21. Identify, describe and explain in detail what portion of the existing right of way mentioned on page 7 of KU's application will be used and how wide is it.
22. Identify, describe and explain in detail the difference in cost between underground installation of transmission lines as compared to overhead transmission lines per linear foot, and also the difference in cost for maintenance of these lines.
23. Identify, describe and explain in detail whether these lines are needed to meet current power demands.
24. Identify, describe and explain in detail whether the current system is operating at peak capacity, and if so, how many hours per year it is operated at peak capacity.
25. Identify, describe and explain in detail why a 138kV line was chosen for this project.
26. Identify, describe and explain in detail the size of the structures necessary to carry an 138 kV line.
27. Identify, describe and explain in detail why existing power line corridors weren't used.
28. Identify, describe, explain in detail and produce any videotaped recordings, audio recordings or written transcripts, if they exist, which record any of the events from any of the meetings held between KU, the PSC and its agents, and/or the Citizens affected by the construction of this power line.
29. Identify, describe, explain in detail and produce any outlines or notes from any meetings or presentations held with the property owners, specifically including but not



limited to, the meeting held at the elementary school located in Anderson County.

30. Provide copies of all documents and maps you brought to this meeting whether or not they were made available to the Citizens at these meetings.

31. Identify, describe, explain in detail and produce copies of any field surveys, evaluation of topography and geology, notes of discussion regarding same, any reports regarding same, and identify who prepared those reports.

32. Identify, describe and explain in detail any special cultural items as identified in the application and why these were not considered at the beginning of this project.

33. Identify each witness you intend to call at the hearing in this matter by stating each witness(es)' full name, current or last-known business and home addresses, current or last-known business and home telephone numbers, and provide a brief summary of the substance of such witness(es)' expected testimony.

Respectfully submitted,



Robert C. Moore  
Laurie K. Dudgeon  
Hazelrigg & Cox, LLP  
415 West Main Street  
Frankfort, KY 40601  
Telephone: (502) 227-2271  
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## CERTIFICATE OF SERVICE

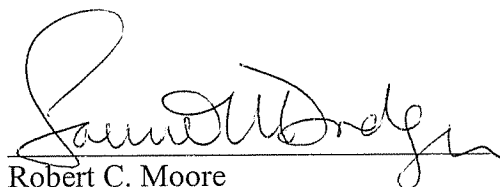
Undersigned counsel certifies that a true and correct copy of the foregoing was served and filed by hand delivery upon Elizabeth O'Dornell, Executive Director, Kentucky Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; furthermore, it was served by mailing a true and correct copy of the same, first class postage prepaid to the following counsel for Kentucky Utilities Company, by first class mail, postage prepaid, as follows:

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All on this the 30<sup>th</sup> day of June, 2005.



Robert C. Moore  
Laurie K. Dudgeon