Ernie Fletcher Governor

LaJuana S. Wilcher, Secretary Environmental and Public Protection Cabinet

Christopher L. Lilly Commissioner Department of Public Protection

David Cary Ford Attorney at Law Ford, Klapheke & Meyer 900 Kentucky Home Life Building Louisville, KY 40202-3272



Commonwealth of Kentucky **Public Service Commission** 211 Sower Blvd. P.O. Box 615 Frankfort, Kentucky 40602-0615 Telephone: (502) 564-3940 Fax: (502) 564-3460 psc.ky.gov

July 25, 2005

Mark David Goss Chairman

> Gregory Coker Commissioner

CERTIFICATE OF SERVICE

RE: Case No. 2005-00213 Louisville Gas and Electric Company

I, Beth O'Donnell, Executive Director of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the addressee by U.S. Mail on July 25, 2005.

Executive Director

BOD/jc Enclosure



Kent W. Blake Director State Regulations and Rates Louisville Gas and Electric Company 220 W. Main Street P. O. Box 32010 Louisville, KY 40232-2010 David Cary Ford Attorney at Law Ford, Klapheke & Meyer 900 Kentucky Home Life Building Louisville, KY 40202-3272

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ST. FRANCIS DE SALES HIGH SCHOOL

COMPLAINANT

V.

LOUISVILLE GAS AND ELECTRIC COMPANY

DEFENDANT

CASE NO. 2005-00213

<u>O R D E R</u>

On June 1, 2005, St. Francis De Sales High School ("Complainant") filed a complaint against Louisville Gas and Electric Company ("LG&E") alleging that Complainant should not bear the financial responsibility for the removal of tree wood left on its property as a result of LG&E downing a tree that was considered a potential hazard to LG&E's utility lines. On June 3, 2005, the Commission ordered LG&E to answer or to satisfy the complaint within 10 days of the date of the Order. On June 13, 2005, LG&E filed its notice of satisfaction, claiming to have satisfied the complaint by arranging to expeditiously remove the tree wood from Complainant's property at LG&E's cost.

On June 24, 2005, the Commission ordered Complainant to respond to LG&E's notice of satisfaction within 20 days of the date of the Order. The Order also provided that, if the Commission received no response from Complainant within the mandated time, the complaint would be dismissed as satisfied. Complainant's response was due

no later than July 14, 2005 and, as of the date of this Order, Complainant has not responded.

IT IS THEREFORE ORDERED that:

- 1. The complaint herein is dismissed as satisfied.
- 2. This case is closed and is removed from the Commission's docket.

Done at Frankfort, Kentucky, this 25th day of July, 2005.

By the Commission

ATTEST Executive Director