



LG&E Energy LLC  
220 West Main Street (40202)  
P.O. Box 32030  
Louisville, Kentucky 40232

November 28, 2005

RECEIVED

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PUBLIC SERVICE  
COMMISSION

Ms. Elizabeth O'Donnell  
Public Service Commission  
211 Sower Boulevard  
P. O. Box 615  
Frankfort, Kentucky 40601

**RE: ROBERT H. NOE AND DAN L. BARNETT, D/B/A B & D RENTALS v. KENTUCKY  
UTILITIES COMPANY  
Case No. 2005-00423**

Dear Ms. O'Donnell:

In accordance with the Commission's Order dated November 18, 2005, in the above-captioned proceeding, enclosed please find an original and ten (10) copies of the Answer of Kentucky Utilities Company.

If you have any questions regarding this filing, please contact me at (502) 627-4110.

Sincerely,

John Wolfram  
Manager, Regulatory Affairs

Enclosure

JW:mjr



3. KU is without knowledge or information sufficient to form a belief as to the truth of the averment contained in paragraph 3.

4. As to the averments contained in paragraph 4 of the Amended Complaint, KU admits that it terminated the electrical service on June 20, 2005 to said unit for nonpayment of utilities by the customer at the property located at 16 Pleasant View Drive, Lancaster, Kentucky.

5. KU denies so much of the averments contained in paragraph 5 of the Amended Complaint which state that KU removed the electrical service meter from the unit on June 20, 2005. However, KU admits that the meter base was not damaged on June 20, 2005.

6. As to the averments contained in paragraph 6 of the Amended Complaint, KU states that, on June 27, 2005, at the time the meter reader checked the meter, electric service to the property located at 16 Pleasant View Drive was turned off and no damage to the meter unit was noted.

7. KU is without knowledge or information sufficient to form a belief as to the truth of the averment contained in paragraph 7 which states that on or about September 15, 2005, B & D rented the unit to a prospective tenant. KU admits that a customer requested electric service from KU on September 30, 2005. On September 30, 2005, a KU technician arrived at the property to connect service, but discovered that electric service had been connected illegally and the meter had been damaged. At that time, the KU technician removed the meter and sealed the meter base. Since no one was home, the KU technician left a card on the door advising the customer to contact the KU office to discuss account status.

8. As to the averments contained in paragraph 8, KU states that no KU representative was on the premises at the time of tenant's arrival. However, when tenant

contacted KU by telephone, tenant was advised that tampering had occurred and service would not be connected until resolution of the tampering was reached. KU advised tenant to bring a copy of their lease to the KU office as proof of new account status.

9. KU is without knowledge or information sufficient to form a belief as to the truth of the averment contained in paragraph 9 of the Amended Complaint, but affirmatively states that tampering and damage occurred.

10. KU admits that the \$77.70 was paid but is without knowledge or information sufficient to form a belief as to the truth of the averment contained in paragraph 10 as to who caused the damage to the meter.

11. KU denies the averment contained in paragraph 11 of the Amended Complaint.

12. KU denies the averment contained in paragraph 12 of the Amended Complaint.

13. KU denies all allegations contained in the Complaint which are not expressly admitted in the foregoing paragraphs of this Answer.

#### **FIRST AFFIRMATIVE DEFENSE**

The Complainant fails to set forth any claim upon which relief can be granted by this Commission, and therefore should be dismissed.

#### **SECOND AFFIRMATIVE DEFENSE**

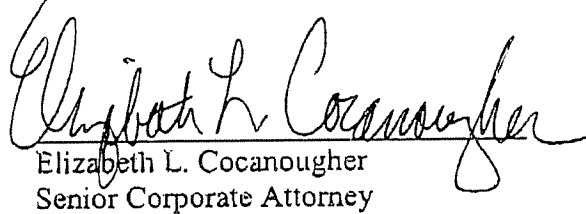
The Complainant fails to set forth a *prima facie* case that KU has violated its tariff or any Commission statute or regulation, and the Complaint should be dismissed for that reason.

**WHEREFORE**, for all of the reasons set forth above, Kentucky Utilities Company respectfully requests:

- (1) that the Complaint herein be dismissed without further action being taken by the Commission;
- (2) that this matter be closed on the Commission's docket; and
- (3) that KU be afforded any and all other relief to which it may be entitled.

Dated: November 28, 2005

Respectfully submitted,



Elizabeth L. Cocanougher  
Senior Corporate Attorney

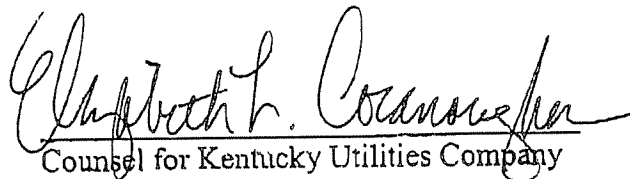
LG&E Energy LLC  
220 West Main Street  
Louisville, Kentucky 40202  
(502) 627-4850

Counsel for Kentucky Utilities Company

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Answer was served on the following on the 28th day of November, 2005, U.S. mail, postage prepaid:

Robert R. Baker  
Rankin & Baker  
P.O. Box 225  
Stanford, Kentucky 40484



Counsel for Kentucky Utilities Company