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Christopher L. Lilly  
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Department of Public Protection

October 16, 2006

Honorable Thomas R. Nienaber  
Berger, Cox & Nienaber  
401 Madison Avenue  
Covington, KY 41011

RE: Case No 2006-00440  
Filing Deficiencies

The Commission staff has reviewed your application in the above case. This filing is rejected for the reasons set forth below.

1. Filing deficiencies pursuant to 807 KAR 5:011:

807 KAR 5:011: Section 10(1)(a) - Cost justification for each rate change proposed.

807 KAR 5:011: Section 10(1)(a) - Full description of the equipment item(s) or the service(s) for which the rate change is proposed.

2. Filing deficiencies pursuant to KRS 278.180

KRS 278.180 Has 30 days' notice been given to the Commission? (No effective date means no notice given and this is acceptable.)

MB/MB

The statutory time period in which the Commission must process this case will not commence until the above-mentioned information is filed with the Commission. If your filing contains a proposed effective date, the rejection of your filing for reasons of deficiencies voids that proposed effective date. When you file the required information to correct the deficiencies, you may refile your proposed tariff with a new proposed effective date that is at least 30 days from the date you file the required information. You are requested to file 10 copies of this information within 15 days of this letter. If you need further assistance, please contact Jason Green at 502/564-3940 ext. 470.

Sincerely,



Mike Burford  
Director Division of Filings

MB/MB