

# STOLL·KEENON·OGDEN

PLLC

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December 12, 2007

HAND DELIVERED

RECEIVED

Elizabeth O'Donnell Executive Director Kentucky Public Service Commission 211 Sower Boulevard Frankfort, KY 40601 DEC 122007

PUBLIC SERVICE COMMISSION

# RE: <u>An Examination by the Public Service Commission of the Environmental</u> <u>Surcharge Mechanism of Louisville Gas and Electric Company for the Six-Month</u> <u>Billing Period Ending October 31, 2006 and for the Two-Year Billing Period</u> <u>Ending April 30, 2007</u> Case No. 2007-00380

Dear Ms. O'Donnell:

Enclosed please find and accept for filing the original and ten copies of a Motion to Submit Case for Decision in the above-referenced matter. Please confirm your receipt of this filing by placing the stamp of your Office with the date received on the enclosed additional copies and return them to me in the enclosed self-addressed stamped envelope.

Should you have any questions please contact me at your convenience.

Sincerely,

2. Sen City

W. Duncan Crosby III

WDC:ec Enclosures as mentioned cc: Parties of Record

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# **COMMONWEALTH OF KENTUCKY**

# BEFORE THE PUBLIC SERVICE COMMISSION RECEIVED

#### In the Matter of:

DEC 122007

AN EXAMINATION BY THE PUBLIC SERVICE ) COMMISSION OF THE ENVIRONMENTAL ) SUCHARGE MECHANISM OF LOUISVILLE ) GAS AND ELECTRIC COMPANY FOR THE SIX-) MONTH BILLING PERIOD ENDING OCTOBER ) 31, 2006 AND FOR THE TWO-YEAR BILLING ) PERIOD ENDING APRIL 30, 2007 ) PUBLIC SERVICE COMMISSION

CASE NO. 2007-00380

### MOTION OF LOUISVILLE GAS AND ELECTRIC COMPANY TO SUBMIT CASE FOR DECISION

Louisville Gas and Electric Company ("LG&E"), by counsel, moves the Kentucky Public Service Commission ("Commission") to take the above-captioned matter under submission and render a decision without completing the procedural schedule established by the Commission's Order issued September 19, 2007. As grounds for its Motion, LG&E states:

- On October 17, 2007, LG&E filed its prepared direct testimony and responses to the information requested in Appendix B of the Commission's September 19, 2007 Order.
- 2. On October 24, 2007, LG&E representatives attended an informal technical conference and discussed the issues and answered the questions, to the apparent satisfaction of the Commission Staff and the Attorney General.
- 3. On November 14, 2007, LG&E submitted its responses to the information requested in the Commission's October 31, 2007 Order.
- 4. LG&E is willing to waive its right to a hearing on the matter under KRS 278.183.
- 5. The Attorney General and Kentucky Industrial Utility Customers, Inc. ("KIUC") are the only persons granted intervention in this case. KIUC has authorized the

undersigned to represent that it does not desire to submit further discovery, file testimony, or participate in a hearing in this case.

WHEREFORE, Louisville Gas and Electric Company moves the Kentucky Public Service Commission to take this matter under submission for decision and issue an order by December 31, 2007, granting the relief requested in its testimony and data responses filed October 17, 2007.

Dated: December 12, 2007

Respectfully submitted,

· Hon SIM

Kendrick R. Riggs W. Duncan Crosby III Stoll Keenon Ogden PLLC 2000 PNC Plaza 500 West Jefferson Street Louisville, Kentucky 40202-2828 Telephone: (502) 333-6000

Allyson K. Sturgeon Senior Corporate Attorney E.ON U.S. LLC 220 West Main Street Post Office Box 32010 Louisville, Kentucky 40202 Telephone: (502) 627-2088

Counsel for Louisville Gas and Electric Company

# **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Motion was

served on the following persons on the 12th day of December, 2007, by United States mail,

postage prepaid:

Dennis G. Howard, II Paul D. Adams Assistant Attorneys General Office of the Attorney General Office of Rate Intervention 1024 Capital Center Drive, Suite 200 Frankfort, KY 40601-8204

Michael L. Kurtz Kurt J. Boehm Boehm, Kurtz & Lowry 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202

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Counsel for Louisville Gas and Electric Company