COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

DEC 0 4 2008 PUBLIC SERVICE

RECEIVED

COMMISSION

APPLICATION OF LOUISVILLE GAS AND ELECTRIC COMPANY FOR AN ADJUSTMENT OF BASE RATES

CASE NO. 2008-00252

RESPONSE OF CAK TO DATA REQUESTS SERVED ON THEM BY THE COMPANY

Comes now Community Action Kentucky, Inc. (CAK), 101 Burch Court, Frankfort, KY 40601, by counsel, and for its response to the Data Requests served upon them by the Company, states as follows:

Data Request No. 1

To the extent not previously provided, please provide electronic copies (on CD) of all workpapers and supporting documentation used and relied upon by Community Action Kentucky, Inc. in preparation of its testimony. Please provide all electronic spreadsheets with cell formulas, cell references, macros and VBA code intact.

Response

Witness: Kip Bowmar

Below you will find Kentucky's LIHEAP benefit allocations for 1999-2000 to 2008-2009. 2005-2006 contains \$10 million in state funding; 2006-2007 contains \$14 million in federal supplemental funding; 2007-2008 contains \$6 million in summer cooling for August thru October 2007. 2002-2003 contains \$5 million in summer cooling. This information was cut and pasted from an excel spread sheet and no other information was used in the preparation of the report.

<u>LIHEAP</u>
<u>Allocations</u>
\$20,538,099
\$25,932,178
\$20,387,036
\$26,468,030
\$23,875,292
\$26,574,883
\$34,446,629
\$37,336,349
\$31,679,064
\$56,600,001

Data Request No. 2

Please provide a resume or curriculum vitae, showing Mr. Bowmar's professional background and experiences, and education and training.

Response

Witness: Kip Bowmar- See attached

Data Request No. 3

Please provide according to each fiscal year, the base, contingency and total amount of Low Income Home Energy Assistance Program ("LIHEAP") funds allocated to Kentucky from 2000 through 2009.

Response

Witness: Kip Bowmar:

See response to Data Request No. 1.

Data Request No. 4

Please describe what, if any, financial contributions are made by the Commonwealth of

Kentucky for the purpose of funding any LIHEAP type of assistance to low income households.

Response

Witness: Kip Bowmar:

In the 2005-2006 heating season, the Kentucky General Assembly appropriated \$10 million to supplement the LIHEAP Program. This remains the only time that Kentucky General Assembly dollars have been used to supplement the program. Legislation in 2008 was stalled due to budgetary concerns.

Data Request No. 5

Please describe the actions by the Community Action Kentucky, Inc. to encourage or persuade federal or state legislatures to maintain or increase LIHEAP funding for each fiscal year.

Response

Witness: Kip Bowmar:

Community Action Kentucky and its member agencies support the National Community Action Foundation, which advocates for federal level LIHEAP and other Community Action programming. In addition, Community Action Kentucky communicates with the Kentucky Congressional delegation about the need for and impact of LIHEAP in Kentucky. Community Action Kentucky actively lobbies the Kentucky General Assembly for additional resources for LIHEAP.

Data Request No. 6

Please state whether the recently announced increase in LIHEAP funds for Kentucky this year will allow additional low-income households to benefit and if so the number of additional households that will benefit compared to the number of households that benefited from available LIHEAP funds last year.

Response

Witness: Kip Bowmar:

In 2007-2008, Community Action Kentucky's 23 member Community Action Agencies served approximately 45,000 fewer families in 2007-2008 than in 2005-2006 and 2006-2007

because of fewer federal and state resources. The additional dollars in 2009 will allow us to serve those families. In addition, due to rising fuel price costs we were able to raise subsidy benefits by 40% and to increase crisis benefits for electric and natural gas. Those steps were necessary as a study by Community Action Kentucky in 2008 found that the amount of arrearages owed to investor owned utilities by residential customers grew during the first four months of 2008 by 25% compared to the first four months of 2007. We anticipate that in addition to the 45,000 families that were turned away in 2007-2008, we will be able to serve an additional 20,000 families. The unmet need, however, far outstrips even the additional dollars added. We estimate that based on Census estimates of the number of Kentuckians living below the poverty line, there will still be another 50,000 families that we will not have the resources to serve even in a year where LIHEAP funding was doubled.

VERIFICATION

I have read the foregoing Responses and they are true and correct to the best of my knowledge and belief.

THOMAS "KIP" BOWMAR

Subscribed and sworn to before me by Thomas "Kip" Bowmar on this the 2nd day of

December, 2008.

My commission expires: <u>5/12/10</u>

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LIOE **F. CHILDERS**

GETTY & CHILDERS, PLLC 1900 Lexington Financial Center 250 West Main Street Lexington, KY. 40507 (859) 259-1900

ATTORNEY FOR CAK AND CAC

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document has been served on the following persons by United States mail and on counsel for each party by e-mail on this the 3rd day of December, 2008:

Lonnie E. Bellar Vice President – State Regulation E.ON U.S. Services, Inc. 220 West Main Street Louisville, Kentucky 40202

Hon. Dennis G. Howard, II Assistant Attorney General Office of the Attorney General 1024 Capitol Center Drive, Suite 200 Frankfort, Kentucky 40601

Allyson K. Sturgeon Senior Corporate Attorney E.ON U.S. LLC 220 West Main Street Louisville, Kentucky 40202

Kendrick R. Riggs W. Duncan Crosby III Stoll Kennon Ogden PLLC 2000 PNC Plaza 500 West Jefferson Street Louisville, Kentucky 40202-2828 Hon. Michael L. Kurtz Attorney at Law Boehm, Kurtz & Lowry 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202

Hon. Lisa Kilkelly Legal Aid Society 416 West Muhammad Ali Boulevard Suite 300 Louisville, Kentucky 40202

Robert M. Watt III Stoll Keenon Ogden PLLC 300 West Vine Street, Suite 2100 Lexington, Kentucky 40507-1801

David C. Brown Stites & Harbison, PLLC 400 West Market Street, Suite 1800 Louisville, KY 40202

in

FOE F. CHILDERS

Jack E. Burch

Jack Burch has served as the Executive Director of Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties since 1979. The Council sponsors a comprehensive range of anti-poverty programs and strategies. Current services and programs include social and economic self-sufficiency initiatives; child, youth and family development; energy assistance and conservation; food and other forms of emergency assistance; and, housing development and management. Jack is also the CEO of Community Action Council's housing and economic development corporations.

In addition to direct services, the Council's primary goals also include advocacy and the development of social capital in low-income communities. The Council provides services to over 20,000 persons annually. It has approximately 280 employees and an annual budget of approximately \$21,000,000. Funding support of the Council's activities is provided by a wide range of sources, including the federal, State and local governments, Columbia Gas of Kentucky and Kentucky Utilities Company, Ford Foundation, Knight Foundation, Chase Bank Foundation and individual donors.

Jack was a member of the first class of Certified Community Action Professionals (CCAP) in 1993, a national credential awarded to persons recognized as leaders on anti-poverty issues and programs in the United States. In 2003, Community Action Council received the Excellence in Community Action Award. It is one of the first four community action agencies to receive the award. The Council was also recognized as a Head Start Program of Excellence in 2000 and again in 2004 and was named Outstanding Head Start Grantee in 2005.

Jack is the founder and CEO of WinterCare Energy Fund, the nation's first privately funded, state-wide energy assistance fund. He initiated Community Action Council's first utility rate case intervention to ensure the needs of the utility's low-income customers were represented. That and subsequent interventions have resulted in several millions of dollars in savings and benefits for low-income utility customers.

Jack has served on various task forces and committees to develop and promote the Results Oriented and Management Accountability (ROMA) process for the nation's community action agencies. He has served as a reviewer for training and technical assistance grants for the Department of Health and Human Services, and for the Excellence in Community Action award. He currently serves on the national Community Action Partnership's Training and Technical Assistance Task Force.

Jack serves on a number of local boards and commissions, including Chairperson of Fayette County Public Schools' Equity Council, the Lexington Partnership for Workforce Development, Lexington's Affordable Housing Trust Commission, Lexington's Commission on Financial Lending Practices, and, Success By Six, a community-wide child development initiative. He presently chairs a community effort to redevelop the former Russell Elementary School property to preserve its historic and cultural significance for Lexington's African-American community.



He is a native of Memphis, Tennessee. He received his BA from Rhodes College where he was a P.K. Seidman Scholar in economics and has completed his post graduate studies in economics at Vanderbilt University and the University of the West Indies. Prior to joining Community Action Council, Jack served on the staff of the Peace Corps in both Washington and West Africa and as President of a consortium of colleges in Eastern Kentucky.



Thomas "Kip" Bowmar

136 Old Park Avenue Lexington KY 40502 (502) 330-4099 (cell) Email: <u>kip@kaca.org</u> or <u>kbowmar@gmail.com</u>

Education:

BA-1991-University of Kentucky; double major–journalism/classics; honors program; 3.3 GPA. **MPA – 2001** – Kentucky State University, Masters in Public Administration; 3.9 GPA

Professional Certifications and Licenses:

Leadership Kentucky- Graduated seven month, 130 hour leadership development curriculum around the state with 55 other leaders from the fields of business, law, medicine, finance, agriculture, education, and non-profit management. Graduated November 2006.

Certified Association Executive (CAE)-Certification Program of the American Society of Association Executives that measures leadership skills, results focus, management ability through vitae, professional development, and exam process. Obtained February 2005. Recertified in 2007.

Certified Results Oriented Management and Accountability (ROMA) Trainer – Certification training program to teach non-profit staff and boards on Results Oriented Management and Accountability (ROMA) best practices. Completed 80 hour curriculum and two student teaching sessions of 1.5 days with another trainer. **Obtained October 2001**.

Certified Community Action Professional (CCAP) – Certification program of National Community Action Partnership that examines vita, body of work, and competitive exam process. **Obtained September 1999.** Recertified August 2003 and 2007.

Certified Community Action Manager (CCAM)–Certification of the Southeastern Association of Community Action Agencies. Seven modules, 140 hour training program for focusing on human resource development, managing organizational change, leadership skills, financial management, and communication skills. Obtained August 1997. Annual recertification.

Life/Health Insurance License- Completed 40 hour course and exam to gain a Life and Health Insurance License in the state of Kentucky to oversee KACA's Health Insurance Program, its largest non-dues revenue source. Obtained 1995. Biennial continuing education.

<u>Work Experience:</u>

Kentucky Association for Community Action (KACA) – 4/94 to Present – Executive Director of a \$30 million non-profit organization that provides energy, housing, water and wastewater services to low income Kentuckians in all 120 counties in addition to extensive technical assistance to 23 local Community Action Agencies (CAAs). Responsible for increasing capacity of CAAs to achieve results, advocating for public policies that increase economic self-sufficiency for low-income, and directing association office. Specific duties include managing, evaluating, and developing a staff of 11; maintaining current grants and contracts; seeking new sources of funding; and developing and facilitating training and educational seminars for member agencies. Other duties involve creating economic development and self-sufficiency strategies for low-income Kentuckians, keeping organizational and program audits current, developing and overseeing implementation of \$30 million budget, serving as lobbyist for the organization, overseeing association's \$7 million health insurance program, building proactive relationships with the media, representing organization on boards and panels, serving as a liaison between various funding agencies and local CAAs, helping key committees of the Board develop and implement action strategies, advising CAK board on governance issues, and providing direct training for local CAAs and their local boards of directors.

Kentucky Retail Federation (KRF)- 10/91-4/94- Served as Communications Director for KRF and as Executive Director for statewide association (Kentucky Propane Gas Association) managed by KRF. Responsible for helping to promote and encourage positive business climate for 5,000 retail establishments that operated in diverse markets as well as to build capacity and strength of propane association. Specific duties included: monitoring legislative and regulatory activity, working with committees to set up and launch educational seminars and compliance programs, educating state regulatory officials and Congress, managing association's 80K annual budget, writing, editing, laying out three regular publications, special projects, and press releases, and serving as spokesperson for the association. Helped develop public service announcement campaign for retailers & radio advertising campaign for propane dealers. Wrote a regular column for the Lane Report, a Business Magazine, on retailing and business climate as part of duties.

Council of State Governments (CSG) 6/91 to 9/91 Intern- Worked with two national trade associations. Served as Assistant Editor on two publications that tracked governmental affairs and business issues. Developed in-house training seminars, assisted with promotional activities, sold booth space for association tradeshow, and served on customer service task force.

Other Experience (consulting, etc.):

Health and Human Services; Office of Community Services (OCS); Washington D.C.; 8/01 to 9/03; Served as Grant Reviewer in annual funding cycles for many OCS initiatives. Evaluated up to 10 grants using specific criteria, provided extensive written feedback on strengths & weaknesses, participated in consensus process to evaluate applications, filed extensive reports.

Affiliations:Current

1) President, Board of Directors, National Rural Community Assistance Partnership (2005-2007) (Board member 2001-pres).

2) First Vice Chair, Board of Directors, Natl. Community Action Partnership (2006-pres.) (Board Member 2004-Pres)

3) Co-Chair, Excellence Commission, National Community Action (2004-pres) (member 03-pres.)

4) Board Member, Policy Advisory Board, Great Lakes Rural Community Assistance Program (1994-pres.) Chairman 1998-2004.

- 5) Chairman, KY FEMA State Set Aside Committee 03-pres; Board member (1994-pres)
- 6) Board member, Homeless & Housing Coalition of KY; (1996-pres). (Treasurer 1999-2003)
- 7) Member, Kentucky Society of Association Executives (1992-pres)
- 8) Member, Kentucky Chamber of Commerce (1999-pres)

9) Member, Western KY Gas Residential Energy Conservation Collaborative (1997-pres.)

Previous

1) President, National Association of Propane Executives (1993-1994)

- 2) Board of Directors, Kentucky Clean Fuels Coalition (1993-1994)
- 3) Board of Directors, Kentucky LP-Gas Advisory Board (1993-1994)
- 4) Steering Committee, Kentucky Development Committee (1994-1995)
- 5) Member, Governor's Advisory Taskforce on Homelessness (1994-1995)
- 6) Member, Public Service Commission Taskforce on Natural Gas Deregulation (1998)
- 7) President, Opera House Square Homeowners Assoc (2001-03). Board member (1999-2003)
- 8) Member, National Monitoring and Assessment Taskforce (MATF) 2004-2005)

KU_HEA Status Report 10/14/2008

AUDUBON

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
HENDERSON	8	8	0	0	0	0
MCLEAN	7	7	0	0	0	0
ОШО	5	5	0	0	0	0
UNION	9	9	0	0	0	0
WEBSTER	15	15	0	2	0	-2

BELL WHITLEY

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
BELL	73	73	0	16	0	-16
WHITLEY	32	32	0	0	0	0

BLUEGRASS

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
ANDERSON	13	13	0	0	0	0
BOYLE	15	15	0	0	0	0
FRANKLIN	5	5	0	0	0	0
GARRARD	15	15	0	2	0	-2
JESSAMINE	14	14	0	1	0	-1
LINCOLN	14	14	0	2	0	-2
MERCER	12	12	0	1	0	-1
SCOTT	21	21	0	0	0	0
WOODFORD	25	25	0	5	0	-5

CENTRAL

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
GRAYSON	11	11	0	0	0	0
HARDIN	24	24	0	0	0	0
LARUE	60	60	0	0	0	0
MARION	30	30	0	0	0	0
NELSON	9	9	0	0	0	0
WASHINGTON	5	5	0	0	0	0

DANIEL BOONE

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
CLAY	5	5	0	0	0	0
LAUREL	28	28	0	0	0	0
ROCKCASTLE	5	5	0	0	0	0

GATEWAY

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
BATH	5	5	0	2	0	-2

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MONTGOMERY	26	26	0	5	0	-5
ROWAN	31	30	0	2	0	-1

HARLAN

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County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
HARLAN	31	31	0	0	0	0

KCEOC

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
KNOX	12	12	0	0	0	0

KY RIVER FOOTHILLS

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
CLARK	34	34	0	0	0	0
ESTILL	8	8	0	0	0	0
MADISON	41	41	0	1	0	-1

LAKE CUMBERLAND

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
ADAIR	7	7	0	0	0	0
CASEY	14	14	0	1	0	-1
GREEN	14	14	0	0	0	0
MCCREARY	11	9	0	2	0	0
PULASKI	39	38	0	4	0	-3
RUSSELL	8	8	0	1	0	-1
TAYLOR	13	13	0	1	0	-1

LICKING VALLEY

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
BRACKEN	16	16	0	0	0	0
FLEMING	20	20	0	0	0	0
MASON	13	13	0	0	0	0
ROBERTSON	0	0	0	0	0	0

MULTI-PURPOSE

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
BULLITT	7	7	0	0	0	0
SHELBY	6	6	0	0	0	0
SPENCER	15	14	0	2	0	-1

NORTHERN KY

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
CARROLL	17	16	0	4	0	-3
GALLATIN	6	6	0	4	0	-4
GRANT	2	2	0	0	0	0
OWEN	4	2	0	2	0	0
PENDLETON	1	1	0	0	0	0

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PENNYRILE

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
CALDWELL	3	3	0	0	0	0
CHRISTIAN	2	2	0	0	0	0
CRITTENDEN	11	11	0	0	0	0
HOPKINS	53	53	0	0	0	0
LIVINGSTON	1	1	0	0	0	0
LYON	7	7	0	0	0	0
MUHLENBERG	41	41	0	1	0	-1

SOUTHERN KY

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left	
BARREN	4	4	0	0	0	0	
HART	38	38	0	0	0	0	

TRI-COUNTY

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
HENRY	7	7	0	0	0	0
OLDHAM	0	0	0	0	0	0
TRIMBLE	5	5	0	0	0	0

WESTERN KY

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
BALLARD	3	3	0	0	0	0
HICKMAN	4	4	0	0	0	0
MCCRACKEN	4	1	0	3	0	0
Total	1044	1033	0	64	0	-53

CAC

County	Slots	Enrolled	Error	Wait List	Denied	Slots Left
BOURBON	78	78	0	8	0	-8
FAYETTE	418	416	2	387	0	-387
HARRISON	24	24	0	23	0	-23
NICHOLAS	36	36	0	4	0	-4
Total	556	554	2	422	0	-422

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County	Slots	Enrolled	Error	Wait List	Denied	Removed	Slots Left
ADAIR	7	7	0	0	0	2	0
ANDERSON	13	13	0	0	0	15	0
BALLARD	3	3	0	0	0	3	0
BARREN	4	4	0	0	0	7	0
BATH	5	5	0	2	0	1	-2
BELL	73	73	0	16	0	32	-16
BOYLE	15	15	0	0	0	41	0
BRACKEN	16	16	0	0	0	13	0
BULLITT	7	7	0	0	0	10	0
CALDWELL	3	3	0	0	0	1	0
CARROLL	17	16	0	4	0	1	-3
CASEY	14	14	0	1	0	4	-1
CHRISTIAN	2	2	0	0	0	1	0
CLARK	34	34	0	0	0	39	0
CLAY	5	5	0	0	0	5	0
CRITTENDEN	11	11	0	0	0	14	0
ESTILL	8	8	0	0	0	4	0
FLEMING	20	20	0	0	0	17	0
FRANKLIN	5	5	0	0	0	3	0
GALLATIN	6	6	0	4	0	6	-4
GARRARD	15	15	0	2	0	22	-2
GRANT	2	2	0	0	0	0	0
GRAYSON	11	11	0	0	0	12	0
GREEN	14	14	0	0	0	9	0
HARDIN	24	24	0	0	0	73	0
HARLAN	31	31	0	0	0	27	0
HART	38	38	0	0	0	24	0
HENDERSON	8	8	0	0	0	17	0
HENRY	7	7	0	0	0	7	0
HICKMAN	4	4	0	0	0	1	0
HOPKINS	53	53	0	0	0	38	0
JESSAMINE	14	14	0	1	0	25	-1
KNOX	12	12	0	0	0	6	0
LARUE	60	60	0	0	0	48	0
LAUREL	28	28	0	0	0	14	0
LINCOLN	14	14	0	2	0	10	-2
LIVINGSTON	1	1	0	0	0	2	0
LYON	7	7	0	0	0	4	0
MADISON	41	41	0	1	0	36	-1
MARION	30	30	0	0	0	18	0
MASON	13	13	0	0	0	11	0
MCCRACKEN	4	1	0	3	0	3	0
MCCREARY	11	9	0	2	0	6	0

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County	Slots	Enrolled	Error	Wait List	Denied	Removed	Slots Left
MCLEAN	7	7	0	0	0	0	0
MERCER	12	12	0	1	0	14	-1
MONTGOMERY	26	26	0	6	0	10	-6
MUHLENBERG	41	41	0	1	0	23	-1
NELSON	9	9	0	0	0	8	0
OHIO	5	5	0	0	0	10	0
OLDHAM	0	0	0	0	0	9	0
OWEN	4	2	0	2	0	8	0
PENDLETON	1	1	0	0	0	1	0
PULASKI	39	38	0	4	0	13	-3
ROBERTSON	0	0	0	0	0	3	0
ROCKCASTLE	5	5	0	0	0	7	0
ROWAN	31	30	0	2	0	16	-1
RUSSELL	8	8	0	1	0	5	-1
SCOTT	21	21	0	0	0	62	0
SHELBY	6	6	0	0	0	53	0
SPENCER	15	14	0	2	0	17	-1
TAYLOR	13	13	0	1	0	9	-1
TRIMBLE	5	5	0	0	0	3	0
UNION	9	9	0	0	0	10	0
WASHINGTON	5	5	0	0	0	7	0
WEBSTER	15	15	0	2	0	8	-2
WHITLEY	32	32	0	0	0	14	0
WOODFORD	25	25	0	5	0	26	-5
Total	1044	1033	0	65	0	968	-54
BOURBON	78	78	0	8	0	71	-8
FAYETTE	418	416	2	387	0	588	-387
HARRISON	24	24	0	23	0	40	-23
NICHOLAS	36	36	0	4	0	23	-4
Total	556	554	2	422	0	722	-422

Kentucky Utilities

	Ratepayers	Rat	tepayer	Cor	npany		
Year	Contributing	Co	ntributions	Cor	ntributions	Tot	al for year
2003	19609	\$	73,821	\$	28,823	\$	102,644
2004	18346	\$	71,684	\$	58,469	\$	130,153
2005	17218	\$	69,342	\$	56,963	\$	126,305
2006	17989	\$	80,758	\$	55,922	\$	136,680
2007	15578	\$	62,766	\$	45,019	\$	107,785