

Jeff Derouen, Executive Director

Public Service Commission

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Case No 2008-00488

Dear Mr. Derouen,

The following is my written response to the defendants' Motion to Dismiss.

As can be seen from the usage receipts submitted by the defendant there is little to no correlation between our alleged usage, the temperature & price. There are wild fluctuations having no correlation to temperature on many dates that are inexplicable but for error on the defendants part. My lifestyle does not adversely effect my bills in any way. We are a household of 3. My wife works and my daughter is in school. We do laundry 1x week.

Moreover my complaints against Blue Grass Energy go back to June 2004 when we took possession of our home yet Bluegrass continues to fail to provide weather/usage data for any period prior to 2007. These documents are in their exclusive care & custody. Their

Failure to provide said information should prevent them from prevailing or their motion to dismiss.

Lastly, Joe Burgess tested my house & found it to be energy efficient. According to Joe our home was slightly short of the highest energy efficiency rating available.

For all of the foregoing reasons it is respectfully requested that the Defendants Motion to Dismiss be denied.

Sincerely,
J.E. Buffa