

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION
CASE NO. 2008-00488

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FEB 16 2009

PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

GERALD E. BRIFFA)	
)	CASE NO.
COMPLAINANT)	2008-00488
)	
V.)	
)	
BLUE GRASS ENERGY COOPERATIVE)	
CORPORATION)	
)	
DEFENDANT)	

DEFENDANT’S REPLY TO RESPONSE OF COMPLAINANT

Comes now the Defendant, Blue Grass Energy, through counsel, and for its reply to the response tendered by the Complainant February 6, 2009, states as follows:

1.) Complainant states in his response that there is little or no correlation between Complainant’s usage, temperature, and another factor which cannot be deciphered by counsel for the Defendant. In response to this allegation, the Defendant would state that it would be the responsibility of the Complainant to cite specific instances or examples of these alleged discrepancies between usage and temperatures. The same would be true as to the Complainant’s alleged “wild fluctuations”; there are no specific instances of such fluctuations cited by the Complainant.

2.) The Complainant complains that he has not been furnished with “weather/usage data” by the Cooperative. This Defendant has responded in all reasonable fashion to information requests by the Complainant, but it is not the

responsibility of this Defendant to provide him with weather data; he is very capable of obtaining that for himself, but has not done so, or has not provided that to the Commission in support of his complaint.

3.) Complainant states that “Joe Burgess” has found his home to be energy efficient; no documentation of any kind is submitted in support of this assertion, and in response this Defendant asserts to the Commission that the charges to the Complainant for provision of electrical energy have been properly measured and charged for.

The Defendant would respectfully request that it be permitted an extension of time for seven (7) days to amend, if it chooses to do so, its reply. As grounds for this motion of seven days time to amend, counsel for the Defendant states, with no offense intended to Mr. Briffa, that he is having difficulty in deciphering the handwritten response by the Complainant. Further, counsel for Defendant learned at approximately 2:00 p.m. today, February 16, of Mr. Briffa’s tendered response, and counsel for Defendant would therefore move this honorable Commission for seven days extension of time to amend this reply.

COMBS & HOFFMAN

By: 

CASSIE G. WELLS

RALPH K. COMBS

100 United Drive, Suite 4B

Versailles, Kentucky 40383

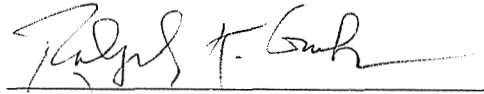
(859) 873-5427

ATTORNEYS FOR BLUE GRASS ENERGY
COOPERATIVE CORPORATION

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Defendant's Reply to Response of Complainant was served on Gerald E. Briffa, Esq., 4301 Ravens Crest Lane, Lexington, Kentucky 40515, by United States First Class Mail.

All this the 16th day of February, 2009.



CASSIE G. WELLS
RALPH K. COMBS