

RECEWED

JUN 26 2009

Mr. Jeff R. DeRouen Executive Director Kentucky Public Service Commission 211 Sower Boulevard Frankfort, Kentucky 40601 MECEWED JUN 26 2009

6 2009 E.ON U.S. LLC

COUNSE Corporate Law Department P.O. Box 32030 Louisville, Ky 40232 www.eon-us.com

> Jim Dimas Senior Corporate Attorney T 502-627-3712 F 502-627-3367 Jim.Dimas@eon-us.com

June 26, 2009

RE: Louisville Gas and Electric Company's Response to the Commission's Order of May 27, 2009 Case No. 2009-00014 (Acton)

Dear Mr. DeRouen:

Enclosed please find an original and ten (10) copies of Louisville Gas and Electric Company's Response to the Commission's Order of May 27, 2009.

Enclosed also please find a check in the amount of Two Hundred Dollars (\$200.00) per the above-referenced Order.

Should you have any questions concerning the enclosed, please do not hesitate to contact me.

Sincerely, Jun Dimas (Kuw

JDD/kmw Enclosures

COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LOUISVILLE GAS AND ELECTRIC COMPANY

CASE NO. 2009-00014

)

)

)

)

ALLEGED FAILURE TO COMPLY WITH KRS 278.042

NOTICE OF LOUISVILLE GAS AND ELECTRIC COMPANY IN RESPONSE TO THE COMMISSION'S ORDER OF MAY 27, 2009

On May 27, 2009, the Kentucky Public Service Commission ("Commission") issued an Order adopting and approving the Joint Stipulation of Facts and Settlement Agreement ("Joint Stipulation") in its entirety as a complete resolution of all issues in the above-captioned proceeding. In that Order, the Commission required Louisville Gas and Electric Company ("LG&E") to file, within 30 days of the date of this Order, a notice setting forth the name and job title of the LG&E employee who will be responsible for ensuring that:

(a) All LG&E crews and resident contractor crews maintain written documentation of their daily job briefings; and

(b) LG&E issues a request to all of their mutual assistance crews and off-system contractor crews to maintain written documentation of their daily job briefings.

In the Joint Stipulation, LG&E agreed to require all of its employees and resident contractors who perform work on LG&E's electric distribution system to document in writing that they have had a daily job briefing and to request that all mutual assistance or offsystem contractors who perform work on LG&E's electric distribution system document in writing their daily job briefings. Any person working alone is not required by OSHA to conduct a daily job briefing and therefore documentation in such case is not required.¹

Line managers who ultimately report up to David Guy, Director, System Restoration and Dispatch Operations, will check for documentation during their routine audits of the work crews. In addition, review and confirmation of documentation of daily job briefings will also occur during the safety audits that are randomly conducted. When mutual assistance crews and off-system contractor crews are needed, LG&E will request that those crews document in writing their daily job briefings at the time of their Passport training.

Employees and resident contractors who perform work on LG&E's electric distribution system will maintain documentation of daily job briefings for a period of 30 days. Such documentation will be kept in the same fashion as work orders and other types of documents.

Dated: June 26, 2009

¹ See 29 CFR 1910.269(c)(3) "Working alone." An employee working alone need not conduct a job briefing. However, the employer shall ensure that the tasks to be performed are planned as if a briefing were required.

Respectfully submitted,

<u>Allyson K. Sturgeon</u>

Senior Corporate Attorney E.ON U.S. LLC 220 West Main Street Louisville, Kentucky 40202 (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 was served on the following on the 24 day of June, 2009, U.S. mail, postage prepaid:

Rick Bertelson Staff Counsel Kentucky Public Service Commission 211 Sower Blvd. Frankfort, Kentucky 40601

Coursel for Louisville Gas and Electric

Counsel for Louisville Ges and Electric Company