

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LOUISVILLE GAS AND	)	
ELECTRIC COMPANY FOR A CERTIFICATE	)	
OF PUBLIC CONVENIENCE AND NECESSITY	)	CASE NO.
AND APPROVAL OF ITS 2009 COMPLIANCE	)	2009-00198
PLAN FOR RECOVERY BY ENVIRONMENTAL	)	
SURCHARGE	)	

O R D E R

The matter is before the Commission upon Louisville Gas and Electric Company's ("LG&E") petition, pursuant to 807 KAR 5:011, Section 14, for approval to deviate from the notice requirements of 807 KAR 5:0011, Section 8, relating to newspaper publication. LG&E states that on June 11, 2009, prior to filing its application in this case, it delivered to the Kentucky Press Association a notice of the filing of its application for publication in 20 newspapers in LG&E's service areas. The notice was requested to be published once a week for three consecutive weeks, with the first publication beginning the week of June 19, 2009. However, one small local newspaper inadvertently failed to publish LG&E's notice on one of the three weeks. In an effort to remedy the deficiency, LG&E subsequently scheduled an additional notice publication with this newspaper to comply with the three-publication requirement.

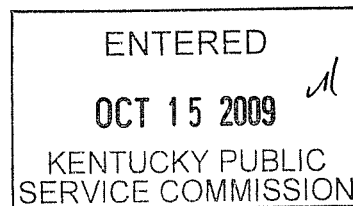
LG&E asserts that it has substantially complied with the Commission's notice regulations. LG&E notes that a great majority of the newspapers in its service territory – including the newspaper of largest circulation in its territory, the *Louisville Courier-Journal* – timely published all required notices. In addition to publishing newspaper

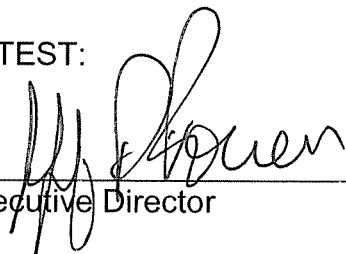
notice, LG&E states that it also provided notice to its customers by: (1) including an insert containing the notice in each customer's bills during its June 29, 2009 billing cycle; (2) posting the notice on its web site, and (3) making the notices available for public inspection at its offices and places of business in the territory affected by the application.

Having reviewed the petition and being otherwise sufficiently advised, the Commission finds that LG&E has substantially complied with the notice requirements set forth in 807 KAR 5:011, Section 8, and it has shown good cause to deviate from the requirement that the three newspaper notices be published for consecutive weeks.

IT IS THEREFORE ORDERED that LG&E's petition to deviate from the notice requirements of 807 KAR 5:011, Section 8, is granted.

By the Commission



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