



an *e-on* company

Mr. Jeff DeRouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

RECEIVED

FEB 17 2010

**PUBLIC SERVICE
COMMISSION**

**Louisville Gas and Electric
Company**
State Regulation and Rates
220 West Main Street
PO Box 32010
Louisville, Kentucky 40232
www.eon-us.com

February 17, 2010

Rick E. Lovekamp
Manager - Regulatory Affairs
T 502-627-3780
F 502-627-3213
rick.lovekamp@eon-us.com

**RE: In the Matter of Metro Property Management Co., Inc. / Tina
Higdon v. Louisville Gas and Electric Company
Case No. 2009-00462**

Dear Mr. DeRouen:

Enclosed please find an original and ten (10) copies of the Reply of Louisville Gas and Electric Company to the response of Metro Property Management Co., Inc./Tina Higdon in the above-referenced proceeding.

Also enclosed are an original and ten (10) copies of a Petition for Confidential Protection regarding certain information provided in the response.

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

Sincerely,

A handwritten signature in black ink that reads 'Rick E. Lovekamp'. The signature is written in a cursive style with a large initial 'R'.

Rick E. Lovekamp

cc: Metro Property Management Co., Inc.

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RECEIVED

FEB 17 2010

PUBLIC SERVICE
COMMISSION

METRO PROPERTY MANAGEMENT CO., INC./
TINA HIGDON)
)
COMPLAINANT)
)
v.)
)
LOUISVILLE GAS AND ELECTRIC)
COMPANY)
)
DEFENDANT)

CASE NO.
2009-00462

* * * * *

REPLY OF
LOUISVILLE GAS AND ELECTRIC COMPANY
TO RESPONSE OF METRO PROPERTY MANAGEMENT
COMPANY, INC. AND TINA HIGDON

In accordance with the Kentucky Public Service Commission's ("Commission") Order of February 2, 2010 in the above-captioned proceeding, Louisville Gas and Electric Company ("LG&E" or the "Company") respectfully submits this Reply to the Response of Metro Property Management Co. Inc. and Tina Higdon ("Metro Property") filed on January 19, 2010. In reply, LG&E states as follows:

1. With regard to the statements contained on page one of the Metro Property response, LG&E agrees that there were some issues during data migration to the new customer care system concerning the name and address on Metro Property bills. Since

that time, however, Metro Property accounts have been reviewed. LG&E believes that the name, mailing address and tax identification number associated with each Metro Property account have been verified and are now correct. If Complainant discovers any future problems with any specific account, however, she should contact the Company.

2. On page two of the Metro Property response, the Complainant raises questions about late fees. LG&E affirmatively states that any inappropriate late payment charges have been waived on each Metro Property account that was found during reviews or brought to the Company's attention by Ms. Higdon. As to comments on pages two and four related to low or no usage, LG&E has advised Complainant that the Company's system is designed to prevent bills from being mailed when usage or meter reading appears to be out of line with historic consumption. Although LG&E has made changes to reduce the number of bills that will be delayed for this reason, such billing exceptions could still occur and are designed to ensure the integrity of the billing system. Although customers are charged a monthly customer charge regardless of the amount of consumption, there is no minimum usage fee for these accounts.

3. As to the statements on page three relative to gas charges, LG&E states that gas meter billings for these accounts have been corrected and appropriately adjusted. Last month, LG&E sent Metro Property an explanation of the corrections. A copy is attached as Exhibit A.

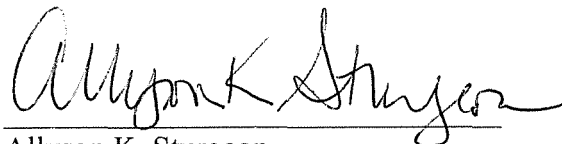
4. At the bottom of page four of the response, Complainant acknowledges that all December bills were received. As to the comments on page five, LG&E states that its intention all along has been to correct any mistakes that were made. In its review, LG&E discovered two additional corrections that should be made - on the account for

service located at 3239 Chinquapin Lane #20, LG&E will reverse the \$0.26 late payment charge and on the original account ending *0692, there was a \$10.59 credit for payment that was applied after the account was closed. LG&E will issue a check to Complainant in the amount of \$10.85 to reimburse Metro Property for these credits. LG&E believes that all other Metro Property bills have been corrected properly at this time. Any credits were applied to either Metro Property directly or to the affected tenant account. A spreadsheet detailing this information is attached as Exhibit B.

WHEREFORE, for all of the reasons set forth above, Louisville Gas and Electric Company respectfully requests that the Complaint of Metro Property be dismissed without further action taken by the Commission and that this matter be closed on the Commission's docket.

Dated: February 17, 2010

Respectfully submitted,



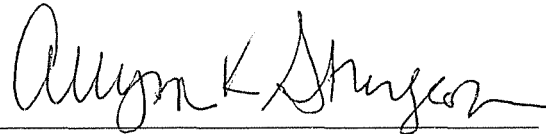
Allyson K. Sturgeon
Senior Corporate Attorney
E.ON U.S. LLC
220 West Main Street
Louisville, Kentucky 40202
(502) 627-2088

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 17th day of February, 2010, U.S. mail, postage prepaid:

Metro Properties/ Tina Higdon
Metro Property Management Co. Inc.
P.O. Box 485
Cave City, Kentucky 42127

A handwritten signature in black ink, appearing to read "Allison K. Sturgeon". The signature is written in a cursive style with a horizontal line underneath it.

Counsel for Louisville Gas and Electric
Company

Exhibit A

From: White, Bob
Sent: Thursday, December 10, 2009 7:56 AM
To: [REDACTED]
Subject: RE: missing bills

Yes I am going through them to check name and mailing addresses on all the house meters. Could you verify the tax ID so I can make sure it is correct as well?
(I found 2 and it may have been a typo. (found a [REDACTED] and [REDACTED])
Bob

From: [REDACTED]
Sent: Thursday, December 10, 2009 4:57 AM
To: White, Bob
Subject: Re: missing bills

Bob, Will you be checking all other accounts? I don't want to keep going through this. Thank you, Tina

-----Original Message-----
From: White, Bob <Bob.White@eon-us.com>
To: [REDACTED]
Sent: Wed, Dec 9, 2009 7:52 am
Subject: RE: missing bills

The account was actually still under the other Metro's tax ID. You may have been getting the bills but it was under the wrong name. In order to fix, I have to end it in that name and restart in yours.
Bob

From: [REDACTED]
Sent: Tuesday, December 08, 2009 6:43 PM
To: White, Bob
Subject: Re: missing bills

Bob, I'm not understanding "WHY" we have to close out these accounts and start them again etc! I know we did it with the others BUT this one was fine at the time. WHY is it now an issue??????
Why can we not check all the accounts with my tax ID? IT thought that is what was done months ago.
Tina

-----Original Message-----
From: White, Bob <Bob.White@eon-us.com>
To: [REDACTED]
Sent: Tue, Dec 8, 2009 11:05 am
Subject: RE: missing bills

Tina,
Here is the bill for the account I corrected. I ended service in the other Metro Prop name with a reading from yesterday.
Bob

-----Original Message-----

From: [REDACTED]
Sent: Saturday, December 05, 2009 9:57 AM
To: White, Bob
Subject: Re: missing bills

Yes Bob. Why are they going to another business with a different tax id???

-----Original Message-----

From: White, Bob <Bob.White@eon-us.com>
To: [REDACTED]
Sent: Fri, Dec 4, 2009 2:06 pm
Subject: RE: missing bills

Tina,
In looking at the bills two accounts have
METRO PROPERTIES
P.O. BOX 485
CAVE CITY KY 42127-0485
And the third shows
METRO PROPERTIES LLC
P.O. BOX 5086
LOUISVILLE KY 40255-0086
Should they all have the Cave City?

-----Original Message-----

From: [REDACTED]
Sent: Friday, December 04, 2009 1:55 PM
To: White, Bob
Subject: Re: missing bills

Bob, I really need you to find out where these bills are being mailed to. I get the others and not these. There has to be a reason! I feel like they aren't being mailed period because I get the others. Are they still being sent to that LLC that isn't us? A resident on Woodmore got a bill last week for 3 months of usage. I can not do that. Tina

-----Original Message-----

From: White, Bob <Bob.White@eon-us.com>
To: [REDACTED]
Cc: Daniel, David (Business Service Center) <David.Daniel@eon-us.com>
Sent: Fri, Dec 4, 2009 1:01 pm
Subject: RE: missing bills

Tina,
I show these bills were sent out 11/9/09.
The outside lights have been moved to the account for each building and should bill in Dec.
Bob

-----Original Message-----

From: [REDACTED]
Sent: Friday, December 04, 2009 11:37 AM
To: White, Bob
Subject: missing bills

Bob, I have called David Daniels 3 times over the past 3 weeks with no return call. I am still missing 3 November bills.

Account #

[REDACTED] 3102 Chinguapin Ln.

[REDACTED] 3126 Chinguapin Ln.

[REDACTED] 3227 Chinguapin Ln.

I am also still waiting on the outside lighting to be billed to each building. Can you tell me where we are on that issue?

Tina Higdon
Metro Properties

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From: White, Bob
Sent: Monday, December 21, 2009 8:05 AM
To: [REDACTED]
Subject: RE: Ref. bills Tina Metro Properties

I changed the House meter accounts to Metro Property Management Co.
If it's easier, you can fax them to me at 502 217-2511 and I can double check them.
(Mailing address 820 W Broadway 40202.)
Bob

From: [REDACTED]
Sent: Friday, December 18, 2009 11:03 PM
To: White, Bob
Subject: Ref. bills Tina Metro Properties

Bob, What address can I mail you a copy of my accounts? Each one I'm looking at has a different account name. I see metro Property, Metro Property Management Co. Inc, Metro Properties etc..

Is this what you have changed?

Tina

From: White, Bob
Sent: Thursday, December 31, 2009 3:27 PM
To: [REDACTED]
Subject: Bill Names
Attachments: tina metro.xls

I got your letter today. I think the change I did earlier this month will have addressed all the ones with Metro Property. Except for the Yvonne Arms, all should show Metro Property Management Co Inc as the name on the next statement. If you want the ones for Yvonne Arms changed to Metro, let me know and I will final in the name of Yvonne Arms and restart in the name of Metro.

(Also, I'm attaching a copy of the accounts for Metro that were reviewed for the gas adjustments.)

Have a good New Year.

Bob

From: White, Bob
Sent: Wednesday, January 13, 2010 9:27 AM
To: [REDACTED]
Subject: Bills
Attachments: 4519 HAZELWOOD.pdf; 3100 .pdf; 3102.pdf; 3126.pdf; 3203 TO.pdf; 3227.pdf; 3257.pdf

Tina,

Since we had so much trouble, I made a note to check your hsmt accounts

The good news all were billed. (Bills attached)

The bad news is the bill for 3126 did not have the PO BOX. I requested a reprint with the PO Box.

I'm trying to find out what happened on this one. Could have been a user malfunction- as in I did not update it properly last month but I'll look into it.

Anyway, let's see what you get in the mail and if any are missing (other than 3126) I'll be glad to investigate.

Also on the account with Yvonne Arms as the name, do you want me to change?

Bob

From: White, Bob
Sent: Monday, January 18, 2010 3:03 PM
To: [REDACTED]
Subject: RE: Metro property bills

333-6473

From: [REDACTED]
Sent: Monday, January 18, 2010 2:41 PM
To: White, Bob
Subject: Re: Metro property bills

thanks Bob. Will do that. If I have a question can I have your # to call please? Thanks

-----Original Message-----
From: White, Bob <Bob.White@eon-us.com>
To: [REDACTED]
Sent: Mon, Jan 18, 2010 2:39 pm
Subject: RE: Metro property bills

Rate shows just below the top fold on the bill.
Also if you have one for 9.00, the bill may be for around 54 days, so check the bill period (dates shown by the meter reading). The 5.00 is for 30 days

From: [REDACTED]
Sent: Monday, January 18, 2010 2:34 PM
To: White, Bob
Subject: Re: Metro property bills

Bob, Please check those. I don't have time today but will go through them tomorrow. Where will it show what rate I'm at? Some are wrong because I know I've been charged over \$9.00 with no ele. use. Thanks, Tina

-----Original Message-----
From: White, Bob <Bob.White@eon-us.com>
To: [REDACTED]
Sent: Mon, Jan 18, 2010 10:29 am
Subject: RE: Metro property bills

Yes, the apartments would be residential and should have a 5.00 customer charge. The house meters would have a 10.00 customer charge (I believe all of yours are single phase services but the bill will show if it is 3 phase)

From: [REDACTED]
Sent: Monday, January 18, 2010 10:22 AM

To: White, Bob
Subject: Re: Metro property bills

I would assume these individual units are considered residential are they not? I don't understand what the single and double phase means.

-----Original Message-----

From: White, Bob <Bob.White@eon-us.com>

To: [REDACTED]

Sent: Mon, Jan 18, 2010 8:37 am

Subject: RE: Metro property bills

Yes, there is a minimum referred to as the customer charge and it can be different based on the rate. (It's not actually a minimum but rather a part of the bill each month.)

Customer charges:

Residential \$5.00 per month

General Service 10.00 per month for single phase/ \$15.00 for 3 phase.

The customer charge is based on a 30 day period and will be prorated for the number of days that the bill covers, so if the bill covers a different number of days, it will be a different amount.

Bob

From: [REDACTED]

Sent: Sunday, January 17, 2010 5:50 PM

To: White, Bob

Subject: Metro property bills

Bob,

Got the bills today. We will have to check one of them. It's showing we over paid last month on a house meter.

Bob, Is there an ele. minimum that is charged per account if there is no usage? Shouldn't that amount be the same on that property? What is that minimum?

Thank you, Tina

Ps. I can fax you a copy of the totals I came up with on those addresses for false gas charges if you'd like it but LGE may have a copy from the Service Com. Thanks Bob.

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From: White, Bob
Sent: Monday, January 18, 2010 9:32 AM
To: [REDACTED]
Subject: RE: Need help with Metro Bills please

Tina,
A quick look using #17 & #10 to compare with, the usage on all but #35 does not appear to be out of line . #35 shows 1227 for 15 days but based on the billing period which covered the cold weather it could be correct. I'll have it re-read to be sure.
Please note the customer charge is \$5.00 unless prorated.
Bob

From: [REDACTED]
Sent: Monday, January 18, 2010 8:14 AM
To: White, Bob
Subject: Need help with Metro Bills please

Bob,
We turned the ele. heat on in the vacant units on 45 for 3 days. I got bills that are really high. Doesn't make sense. You can compare units, same size, vacant, same floor etc and they are all extremely different. Would you please check the following for me and let me know?

- 3269 Chinquapin Ln. #35 [REDACTED] – looks high re-read requested
- 3231 Chinquapin Ln. # 16 [REDACTED] – 727 kwh ok based on Jan usage of 2 below
- 3237 " # 19 [REDACTED] - 794 kwh ok based on Jan usage of 2 below
- 3235 " #18 [REDACTED] – 655 kwh ok based on Jan usage of 2 below
- 3207 " #4 [REDACTED] – 1244 kwh ok based on Jan usage of 2 below
- One to compare....
- 3233 Chinquapin Ln. # 17 [REDACTED] – Note prorated bill (1144 kwh for Jan)

Also 4519 Hazelwood Ave. #10 [REDACTED] Jan usage 1325
kwh

Something isn't right. Just like on the ele. minimum usages all being different. Am I being charged a higher rate on some? These are not house meters.

Thanks Bob

Tina Higdon
Metro

From: White, Bob
Sent: Friday, January 22, 2010 4:03 PM
To: [REDACTED]
Subject: RE: Accounts

Tina,
I pulled the call from 1/05, it was Donna that called. (Rep wrote down Barbara.)
Bob

From: [REDACTED]
Sent: Thursday, January 21, 2010 5:22 PM
To: White, Bob
Subject: Re: Accounts

Bob, that is all not true. We have no Brabra working here and that ele was not turned on that unit! Some of those other bills had 0 and 5 as the meter reading to start which also makes no sense. It's all funny. Something is not right. I would appreciate you checking further. Thank you

Ps. out there on Chinquapin the Manager lives there on site. Her bill was less than those vacant that had heat on 45 for 4-5 days. She obviuosly had hers on the entire month.

-----Original Message-----
From: White, Bob <Bob.White@eon-us.com>
To: [REDACTED]
Sent: Thu, Jan 21, 2010 7:50 am
Subject: RE: Accounts

Most times they will leave it off at the breaker. On 1/5 a Barbara called to get the electric on and another stop was made on 1/6. The service man noted that he found the electric meter on.

From: [REDACTED]
Sent: Wednesday, January 20, 2010 10:55 PM
To: White, Bob
Subject: Re: Accounts

Bob, I'll check some more when I get into town. We have written on the calendar the ele. for Hazelwood 23 was turn on Jan. 2010. We ran extension cords to the office before that to work in the unit. It doesn't make sense. I'll get back to you on this. Thanks Bob.

-----Original Message-----

From: White, Bob <Bob.White@eon-us.com>

To: [REDACTED]

Sent: Wed, Jan 20, 2010 4:52 pm

Subject: Accounts

Tina,

I looked at the accounts you questioned about our correcting the gas billings.

In looking at the accounts, all gas charges were reversed. Any payments made towards gas service were credited to the accounts and applied against any electric charges. (Please note that if the charge was not paid it would not result in an actual credit.)

Since the bills themselves weren't very clear in reflecting the corrections on the gas bills, I verified it was done by totaling the electric charges and subtracting the payments applied to each account. The balances matched the current amounts due.

Also, you questioned the turn on date for 4519 Old Hazelwood Ave #23.

Our record shows that a Donna called on 11/19/09 and requested service as of 11/20.

The electric was turned on 11/20 and the gas left off because of no access.

Bob

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Exhibit B

CONFIDENTIAL INFORMATION REDACTED

Account: [REDACTED]
3207 Chinquapin Ln A4

Read Date	Bill Date	Due Date	Electric	Gas	Tax	Credit from Payments	Previous Balance	Total	Payments	Date Posted
7/10/2009	7/22/2009	8/3/2009	\$ 5.23	\$ 9.65	\$ 1.34		\$ -	\$ 16.22	\$ 16.22	8/3/2009
8/10/2009	8/18/2009	8/31/2009	\$ 5.20	\$ 9.65	\$ (1.34)		\$ -	\$ 13.51	\$ 13.51	8/25/2009
10/8/2009 ⁽¹⁾	10/26/2009	11/9/2009	\$ 20.80	\$ -	\$ (1.34)	\$ (29.73) ⁽²⁾	\$ -	\$ (10.27)	\$ 10.37	10/30/2009
11/6/2009	11/9/2009	11/23/2009	\$ 5.30	\$ -	\$ -		\$ (20.64)	\$ (15.34)		
12/9/2009	12/10/2009	12/22/2009	\$ 5.29	\$ -	\$ -		\$ (15.34)	\$ (10.05)		
1/12/2010	1/13/2010	1/25/2010	\$ 92.35	\$ -	\$ -		\$ (10.05)	\$ 82.30	\$ 82.30	1/27/2010

⁽¹⁾ Reflects rebilling for service used 6/8/09 to 10/8/09

⁽²⁾ Payments (\$ 16.22 + \$ 13.51 = \$ 29.73)

CONFIDENTIAL INFORMATION REDACTED

Account: [REDACTED]
 3233 Chinquapin Ln A17

Read Date	Bill Ddate	Due Date	Electric	Gas	Credit from Payments	Previous Balance	Total	Payments	Date Posted
8/10/2009	9/1/2009	9/14/2009	\$ 6.41	\$ 7.43		\$ -	\$ 13.84	\$ 13.84	9/14/2009
9/9/2009	9/10/2009	9/22/2009	\$ 5.38	\$ 9.65		\$ 13.84	\$ 28.87	\$ 28.87	9/21/2009
10/8/2009	10/9/2009	10/21/2009	\$ 5.55	\$ 9.65		\$ (13.84)	\$ 1.36	\$ 1.36	10/23/2009
11/6/2009	11/9/2009	11/23/2009	\$ 6.13	\$ 9.65		\$ -	\$ 15.78	\$ 15.78	11/23/2009
12/9/2009	12/10/2009	12/22/2009	\$ 5.42	\$ 9.65		\$ -	\$ 15.07	\$ 15.07	12/21/2009
1/12/2010	1/13/2010 ⁽¹⁾	1/25/2010	\$ 111.01	\$ -	\$ (74.92) ⁽²⁾	\$ -	\$ 36.09	\$ 36.09	1/27/2010

⁽¹⁾ Reflects rebilling for service used 7/16/09 to 01/12/10

⁽²⁾ Payments (\$ 13.84 + \$ 28.87 + \$ 1.36 + \$ 15.78 + \$ 15.07 = \$ 74.92)

CONFIDENTIAL INFORMATION REDACTED

Account: [REDACTED]
 3235 Chinquapin Ln A18

Read Date	Bill Date	Due Date	Electric	Gas	Previous Balance	Total	Payments	Date Posted
10/8/2009 ⁽¹⁾	10/26/2009	11/9/2009	\$ 15.93	\$ -	\$ (12.77) ⁽²⁾	\$ 3.16	\$ 3.16	11/10/2009
11/6/2009	11/12/2009	11/24/2010	\$ 5.23	\$ -	\$ -	\$ 5.23	\$ 5.23	11/23/2009
12/9/2009	12/11/2009	12/23/2009	\$ 5.22	\$ -	\$ -	\$ 5.22	\$ 5.22	12/21/2009
1/13/2010	1/13/2010	1/25/2010	\$ 51.10	\$ -	\$ -	\$ 51.10	\$ 51.10	1/27/2010

⁽¹⁾ Reflects rebilling for service used 7/16/09 to 10/8/09.

⁽²⁾ Previous balance of \$12.77 was transfer of a correction from original account (see below)

Account: [REDACTED]					original account) ⁽³⁾				
8/10/2009	18/12/2009	8/24/2009	\$ 5.34	\$ 7.43	\$ -	\$ 12.77	\$ 12.77	8/25/2009	

⁽³⁾ Bill cancelled and credit from payment transferred to account 300014550184

CONFIDENTIAL INFORMATION REDACTED

Account: [REDACTED]
 3237 Chinquapin Ln A19

Read Date	Bill Date	Due Date	Electric	Gas	Credit from Payments	Previous Balance	Total	Payments	Date Posted
8/10/2009	8/11/2009	8/24/2009	\$ 5.27	\$ 7.43		\$ -	\$ 12.70	\$ 12.70	8/25/2009
10/8/2009 ⁽¹⁾	10/26/2009	11/9/2009	\$ 15.93	\$ -	\$ (12.70) ⁽²⁾	\$ -	\$ 3.23	\$ 10.66	10/30/2009
11/6/2009	11/9/2009	11/23/2009	\$ 8.12	\$ -		\$ (7.43)	\$ 0.69	\$ 3.23	11/10/2009
								\$ 0.69	11/23/2009
12/9/2009	12/10/2009	12/22/2009	\$ 5.35	\$ -		\$ (3.23)	\$ 2.12	\$ 2.12	12/21/2009
1/12/2010	1/13/2010	1/25/2010	\$ 60.83	\$ -		\$ -	\$ 60.83	\$ 60.83	1/27/2010

⁽¹⁾ Reflects rebilling for service used 7/16/09 to 10/8/09

⁽²⁾ Payments (\$ 12.70)