



COMMONWEALTH OF KENTUCKY  
**OFFICE OF THE ATTORNEY GENERAL**

JACK CONWAY  
ATTORNEY GENERAL

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FRANKFORT, KENTUCKY 40601

May 20, 2010

**RECEIVED**

MAY 20 2010

**PUBLIC SERVICE  
COMMISSION**

Mr. Kendrick Riggs, Esq.  
Stoll Keenon Ogden, PLLC  
2000 PNC Plaza  
500 W Jefferson Street  
Louisville, KY 40202-2828

Re: 2009-00548 and 2009-00549 Attorney General's Responses (data on disks)

Dear Kendrick:

This letter is to follow-up on our telephone conversation of this morning, regarding the Attorney General's responses to data requests from the PSC staff and the EON companies, which were filed and mailed yesterday, May 19th. As we discussed, worksheets from one of the Attorney General's experts that were compiled into the CDs attached to those responses *inadvertently* contained information subject to a confidentiality agreement. We wanted to take this opportunity to advise you of the steps we are taking to remedy this situation. Counsel of record are also being copied on this letter.

First, we made telephone calls to all counsel of record. Since some were not in their offices, we had to leave messages with their staff or on their voice mails, telling them about the situation. We asked that if they have not viewed the CDs that they return them to us, and that we will mail back replacement CDs with all confidential information redacted. In the event they have already viewed that information, we asked them to please not forward any of that information, either by way of hard copy or electronically and please delete any electronic or paper copies as well as any email transmissions containing the information, and of course to return the CDs to us.

Second, we sent an e-mail to all counsel of record advising them of same.

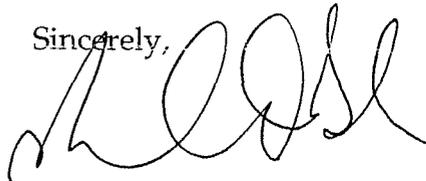


Third, we are preparing a motion asking the PSC to keep the CDs originally filed with the Commission confidential, and that we will file replacement CDs containing appropriate redactions.

Fourth, replacement CDs containing the appropriate redactions are being enclosed in the copy of this letter to each counsel of record.

We apologize for this error and for any inconvenience, and we are confident the measures we have taken will remedy the situation. However, we will be willing to consider taking additional measures if you believe they are necessary. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Adams", written over the word "Sincerely,".

Paul D. Adams  
Assistant Attorney General  
Office of Rate Intervention

cc: Jeff Derouen, Executive Director, Kentucky PSC  
Counsel for Parties of Record

ENCL.