

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

NOV 29 2010

PUBLIC SERVICE COMMISSION

November 29, 2010

RE: NORMAN D. VERNON COMPLAINANT V. LOUISVILLE GAS AND

ELECTRIC COMPANY DEFENDANT

CASE NO. 2010-00130

Dear Mr. DeRouen:

Enclosed please find an original and ten (10) copies of the Reply of Louisville Gas and Electric Company to the Complainant's Letter of November 19, 2010 in the above-referenced proceeding.

A copy is being mailed to the Complainant.

Please contact me if you have any questions concerning this filing.

Sincerely,

Rick E. Lovekamp

Louisville Gas and Electric Company

State Regulation and Rates 220 West Main Street PO Box 32010 Louisville, Kentucky 40232 www.lge-ku.com

Rick E. Lovekamp Manager – Regulatory Affairs T 502-627-3780 F 502-627-3213 rick.lovekamp@lge-ku.com

## **COMMONWEALTH OF KENTUCKY**

## BEFORE THE PUBLIC SERVICE COMMISSION

In the	Matter of:		
	NORMAN D. VERNON	)	
		)	
	COMPLAINANT	)	
		)	
	v.	)	CASE NO.
		)	2010-00130
	LOUISVILLE GAS AND ELECTRIC	)	
	COMPANY	)	
		)	
		)	

**DEFENDANT** 

## RESPONSE OF LOUISVILLE GAS AND ELECTRIC COMPANY TO COMMENTS OF MR. VERNON

In accordance with the Kentucky Public Service Commission's ("Commission") Order of November 9, 2010 in the above-captioned proceeding, Louisville Gas and Electric Company ("LG&E" or the "Company") respectfully submits this Response to the Comments filed by Norman D. Vernon ("Mr. Vernon") on November 19, 2010.

In Mr. Vernon's comments, he questions the historic information retained by LG&E. Based upon a review of the Company's records, LG&E was able to locate consumption information on Mr. Vernon's account back to 2006, although billing and payment information is available back to 1998.

While Mr. Vernon apparently attributes a change in gas usage to the replacement of his meter, LG&E again notes that his meter was tested on February 10, 2009 as part of

the Company's sample meter test program. The meter was shown to be operating within

acceptable limits. Under the filed rate doctrine, LG&E is required to charge its customers

rates based upon the amount of gas they use. In the absence of any evidence that the

meter was not operating properly, LG&E must charge Mr. Vernon in accordance with its

tariffs on file with the Kentucky Public Service Commission. See In the Matter of:

James R. and Charlene Smith v. Louisville Gas and Electric Company, Case No. 1998-

00211, Order of September 25, 1998. LG&E further states that the information filed in

this proceeding demonstrates that Mr. Vernon's bills were correct and therefore believes

the Complaint should be dismissed.

WHEREFORE, for all of the reasons set forth above, Louisville Gas and Electric

Company respectfully requests:

(1) that the Complaint herein be dismissed without further action taken by the

Commission;

(2) that this matter be closed on the Commission's docket; and

(3) that LG&E be afforded any and all other relief to which it may be entitled.

Dated: November 29, 2010

Respectfully submitted,

Ilyson K. Sturgeon

Senior Corporate Attorney

LG&E and KU Services Company

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 Answer was served on the following on the 29<sup>th</sup> day of November, 2010, U.S. mail, postage prepaid:

Norman D. Vernon 116 Cherry Hills Lane Louisville, Kentucky 40245

Counsel for Louisville Gas and Electric

Company