

RECEIVED

NOV 17 2011

PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LOUISVILLE GAS AND ELECTRIC)
COMPANY FOR AN AMENDED ENVIRONMENTAL)
COMPLIANCE PLAN, A REVISED SURCHARGE TO)
RECOVER COSTS, AND CERTIFICATES OF PUBLIC) CASE NO. 2011-00162
CONVENIENCE AND NECESSITY FOR THE)
CONSTRUCTION OF NECESSARY)
ENVIRONMENTAL EQUIPMENT)

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES COMPANY)
FOR CERTIFICATES OF PUBLIC CONVENIENCE)
AND NECESSITY AND APPROVAL OF ITS 2011) CASE NO. 2011-00161
COMPLIANCE PLAN FOR RECOVERY)
BY ENVIRONMENTAL SURCHARGE)

JOINT MOTION BY DREW FOLEY, JANET OVERMAN, GREGG WAGNER, RICK
CLEWETT, RAYMOND BARRY, SIERRA CLUB, AND NATURAL RESOURCES
DEFENSE COUNCIL TO WITHDRAW THEIR MOTION TO FILE CORRECTED
TESTIMONY FOR DR. JEREMY FISHER

Drew Foley, Janet Overman, Gregg Wagner, Rick Clewett, Raymond Barry, Sierra Club and Natural Resources Defense Council’s (collectively “Environmental Intervenors”) move the Commission to withdraw Environmental Intervenors’ Joint Motion to File Corrected Testimony for Dr. Jeremy Fisher, as filed on or about November 2, 2011.

As grounds for withdrawal, Environmental Intervenors state the following:

1. Since the filing of the motion sought to now be withdrawn, the Parties to these matters executed a Settlement Agreement.

CERTIFICATE OF SERVICE

I certify that I mailed a copy of this Motion to Withdraw Environmental Intervenor's Motion to File Corrected Testimony For Dr. Jeremy Fisher by first class mail on November 16, 2011 to the following:

Lonnie Bellar
Vice President, State Regulation & Rates
LG&E and KU Services Company
220 West Main Street
Louisville, KY 40202

Hon. Allyson K. Sturgeon
Senior Corporate Attorney
Louisville Gas & Electric and Kentucky
Utilities
220 West Main Street
Louisville, KY 40202

Robert M. Conroy
Director, Rates
Louisville Gas & Electric and Kentucky
Utilities Company
220 W. Main Street
P.O. Box 32010
Louisville, KY 40232-2010

Kendrick R. Riggs, Esq.
Stoll, Keenon & Odgen, PLLC
2000 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202

Hon. Dennis G. Howard II
Hon. Lawrence W. Cook
Attorney General's Office of Rate
Intervention
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601-8204

Hon. Michael L. Kurtz
Hon. Kurt J. Boehm
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, OH 45202

Hon. David J. Barberie, Attorney Senior
Hon. Leslye M. Bowman, Director of
Litigation
Government Center (LFUCG)
Department of Law
200 East Main Street
Lexington, KY 40507

Hon. Iris G. Skidmore
415 West Main Street, Suite 2
Frankfort, KY 40601

David C. Brown, Esq.
Stites & Harbison, PLLC
400 W. Market Street, Suite 1800
Louisville, KY 40202

Hon. Tom FitzGerald
P.O. Box 1070
Frankfort, KY 40602

Robert A. Ganton, Esq.
General Attorney - Regulatory Law
U. S. Army Legal Services Agency
9275 Gunston Road
ATTN: JALS-RL/IP
Fort Belvoir, VA 22060-5546



Edward George Zuger III, Esq.
Counsel for Movants

2. In light of the Settlement Agreement, Environmental Intervenors' previously filed motion is now moot.
3. Environmental Intervenors seek this withdrawal voluntarily.

WHEREFORE, Environmental Intervenors respectfully request the Commission to withdraw the motion referenced in this Motion from the dockets of these cases.

Dated: November 16, 2011

Respectfully submitted,



Edward George Zuger III, Esq.
Zuger Law Office
Post Office Box 728
Corbin, Kentucky 40702
(606) 416-9474

Of counsel:

Shannon Fisk
Senior Attorney
Natural Resources Defense Council
2 N. Riverside Plaza, Suite 2250
Chicago, IL 60660
Phone: (312) 651-7904
Fax: (312) 234-9633
sfisk@nrdc.org

Kristin Henry
Staff Attorney
Sierra Club
85 Second Street
San Francisco, CA 94105
Phone: (415) 977-5716
Fax: (415) 977-5793
kristin.henry@sierraclub.org