

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LOUISVILLE GAS AND ELECTRIC COMPANY	)	
_____	)	CASE NO. 2003-00029
	)	
ALLEGED FAILURE TO COMPLY WITH	)	
ADMINISTRATIVE REGULATION	)	
807 KAR 5:006, SECTION 3	)	

O R D E R

On June 6, 2003, the Commission directed Louisville Gas and Electric Company (“LG&E”) to appear at a hearing and to show cause why it should not be penalized, pursuant to KRS 278.990(1), for its alleged violations of the National Electric Safety Code (“NESC”) which the Commission enforces pursuant to 807 KAR 5:041, Section 3.

On June 25, 2003, LG&E filed its response to the Commission’s Order of June 6, 2003 and moved the Commission to suspend the hearing scheduled for July 15, 2003 and to schedule an informal conference with Commission Staff. The Commission granted LG&E’s request, and representatives of LG&E and Commission Staff met on July 15, 2003 to discuss the facts surrounding the incident. Those discussions led to additional information being filed by LG&E concerning the incident and to the eventual execution of a Settlement Agreement by Commission Staff and LG&E resolving all issues in this matter. The Settlement Agreement is appended hereto.

In reviewing the Settlement Agreement, the Commission has considered, *inter alia*, the circumstances and seriousness of the incident that is the subject of this

proceeding, and LG&E's efforts to comply with the Commission's safety regulations. After reviewing the Settlement Agreement and being otherwise sufficiently advised, the Commission finds that the Agreement is in accordance with the law, does not violate any regulatory principle, results in a reasonable resolution of this case, and is in the public interest.

IT IS THEREFORE ORDERED that:

1. The Settlement Agreement is incorporated into this Order as if fully set out herein.

2. The terms and conditions set forth in the Settlement Agreement are hereby adopted and approved.

3. Within 10 days of the date of this Order, LG&E shall pay to the Commonwealth of Kentucky the sum of Seven Thousand Five Hundred Dollars (\$7,500). This payment shall be in the form of a cashier's check made payable to "Treasurer, Commonwealth of Kentucky" and shall be mailed or delivered to the Office of General Counsel, Public Service Commission, 211 Sower Boulevard, Post Office Box 615, Frankfort, Kentucky 40602.

4. Upon receipt of the aforesaid cashier's check, this case shall be closed and removed from the Commission's docket without further Order.

Done at Frankfort, Kentucky, this 17<sup>th</sup> day of February, 2004.

By the Commission

ATTEST:

A handwritten signature in black ink, appearing to read "Thomas H. [unclear]", written over a horizontal line.

Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2003-00029 DATED February 17, 2004

(See document named 200300029\_02172004apx.pdf" for Appendix.)