

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PADDOCK AT EASTPOINT, LLC, LOUIS K.)	
KLEMENZ, AND ST. JOSEPH CATHOLIC)	
ORPHAN SOCIETY)	
)	
COMPLAINANTS)	
)	
v.)	CASE NO. 2004-00293
)	
LOUISVILLE GAS AND ELECTRIC COMPANY)	
)	
DEFENDANT)	

ORDER TO SATISFY OR ANSWER

Louisville Gas and Electric Company ("LG&E") is notified by this Order that it has been named as defendant in a formal complaint filed on July 22, 2004 by Paddock at Eastpoint, LLC, Louis K. Klemenz, and St. Joseph Catholic Orphan Society, a copy of which is attached as Appendix A.

Pursuant to 807 KAR 5:001, Section 12, the Commission HEREBY ORDERS LG&E to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.

Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 29th day of July, 2004.

By the Commission

ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2004-00293 DATED July 29, 2004

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

JUL 22 2004

PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

**138 KV TRANSMISSION LINE
LOCATED ADJACENT TO INTERSTATE
265 IN JEFFERSON COUNTY, KENTUCKY
AS PROPOSED BY LOUISVILLE GAS &
ELECTRIC COMPANY**

CASE NO. _____

PETITION

Petitioners, Paddock at Eastpoint, LLC, a Kentucky limited liability company, and Louis K. Klemenz, and St. Joseph Catholic Orphan Society, as their interest may appear, hereby move the Public Service Commission ("PSC") to enter an order requiring Louisville Gas & Electric Company ("LG&E") to apply for a Certificate of Public Convenience and Necessity, as required by KRS 278.020 and 807 KAR 5:120E. In support of this Petition, Petitioners state:

1. Petitioners respectively own certain parcels of real property adjacent to Interstate 265 in Jefferson County, Kentucky.

2. LG&E has notified Petitioners of LG&E's intent to acquire easements over their respective properties for the extension of a 138 KV electrical transmission line in excess of more than 5,280 feet along the east boundary line of Interstate 265.

3. Although LG&E has advised Petitioners that it has had numerous planned routes for this line, some of which involve Petitioners' properties and some of which do not, at no time has

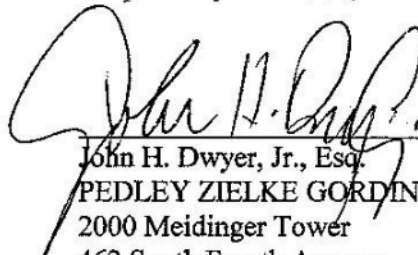
LG&E informed Petitioners that it has obtained a Certificate of Public Convenience and Necessity required by KRS 278.020, and review of PSC's records indicate that no application for such petition has been filed with the PSC.

4. Upon Petitioners' information and belief, the electrical transmission line proposed by LG&E is not exempt by KRS 278.020(2).

5. Petitioners are directly and adversely affected by LG&E's actions in violation of KRS 278.020, and are authorized, pursuant to 807 KAR 5:120E to request a local public hearing on the proposed extension, and to intervene pursuant to 807 KAR 5:001(8). LG&E's failure to file the required application has deprived Petitioners of these rights, and those flowing from it.

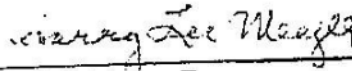
Based on the foregoing, Petitioners respectfully request that the Court enter an Order requiring LG&E to file an application for the construction of the extension of the subject 138 KV electrical transmission line pursuant to 807 KAR 5:120E to obtain a Certificate of Public Convenience and Necessity.

Respectfully submitted,



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St. Joseph Catholic Orphanage***