

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BRUCE WAYNE VICKERS)	
)	
COMPLAINANT)	
)	
V.)	CASE NO. 2007-00149
)	
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

ORDER

Complainant, Bruce Wayne Vickers, brought this action against Kentucky Utilities Company (“KU”) on April 11, 2007, claiming that KU failed to properly give notice that its planned transmission line would cross a portion of his property.¹ Defendant, KU, filed its Answer to the Complaint on May 7, 2007, and moved the Commission to dismiss the complaint with prejudice for failure to state a claim upon which the Commission may grant relief. Defendant claims that it fully complied with the notice requirements set forth in 807 KAR 5:120.

¹ In the consolidated cases of PSC Case No. 2005-00467, Application of Louisville Gas and Electric Company and Kentucky Utilities Company for a Certificate of Public Convenience and Necessity for the Construction of Transmission Facilities in Jefferson, Bullitt, Meade and Hardin Counties, Kentucky, and PSC Case No. 2005-00472, Application of Louisville Gas and Electric Company and Kentucky Utilities Company for a Certificate of Public Convenience and Necessity for the Construction of Alternative Transmission Facilities in Jefferson, Bullitt, Meade and Hardin Counties, Kentucky, KU received a Certificate of Public Convenience and Necessity to construct a 42.03-mile transmission line in Jefferson, Bullitt, Meade, and Hardin counties.

Complainant shall file with the Commission, within 20 days of the date of this Order, a written response to Defendant's Motion to Dismiss, addressing the issues raised therein. KU shall file its Reply, if any, no later than 10 days thereafter.

IT IS THEREFORE ORDERED that:

1. Complainant, Bruce Wayne Vickers, shall submit a written response to Defendant's Motion to Dismiss With Prejudice within 20 days of the date of this Order.

2. Any Reply to the Response shall be filed no later than 10 days thereafter.

Done at Frankfort, Kentucky, this 18th day of May, 2007.

By the Commission

ATTEST:


Executive Director