

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

Sanctuary Church)	
COMPLAINANT)	
VS.)	CASE NO.
)	2018-00181
Louisville Gas and Electric (LG&E))	
DEFENDANT)	

**SANCTUARY CHURCH’S RESPONSES TO COMMISSION STAFF’S FIRST
REQUESTS FOR INFORMATION**

Comes the Complainant, Sanctuary Church, by counsel, and submits the following Responses to Commission Staff’s First Request for Information. The name of the witness responsible for the information provided is Sanctuary Church’s lead pastor, Robert Pitman. The person preparing and/or supervising the responses on behalf of Sanctuary Church is the undersigned, Andre Regard.

GENERAL OBJECTIONS

1. Sanctuary Church objects to the Commission Staff’s Requests for Information (hereinafter the “Requests”) to the extent that they purport to require Sanctuary Church to disclose the substance of any communications between Sanctuary Church and its legal counsel, which communications are protected from disclosure by the attorney-client privilege.

2. Sanctuary Church objects to the Requests to the extent that they purport to impose any obligations upon Sanctuary Church to obtain any information from non-parties over whom Sanctuary Church cannot and do not exercise control.

3. None of the answers to the Requests below are an admission relative to the truth or accuracy of any statement or characterization contained in the Requests.

4. Every reasonable effort has been made to give full and complete answers and responses to the Requests. Sanctuary Church, however, reserves the right to supplement its objections, answers and/or responses to the Requests if it subsequently determines that said objections, answers and/or responses were inaccurate when served, certain information was inadvertently omitted therefrom, or new information comes to the attention of Sanctuary Church.

5. Subject to and without waiving any of the General Objections and Responses set forth hereinabove or any specific objection lodged with respect to any Request below, all documents responsive to the Requests are attached hereto.

RESPONSES

1. Refer to the Complaint, paragraph (c), regarding the use of the building located at 930 Mary Street, Louisville, Kentucky.

- a. Explain in detail the use of the building as an "Artist Space" and as a "Charitable Social Service Office Space for multiple non-profit businesses."

RESPONSE: Sanctuary Church provides free office space to Youth for Christ that is working to reach teens in the neighborhood and the local middle and high school. Sanctuary Church also hosts Youth for Christ team meetings and training. Sanctuary Church provides its conference room to members who wish to have a team meeting with clients at no charge. In 2017 Sanctuary Church provided office space of 2725 square feet at a non-profit reduced rate to Scarlet Hope who works with women in human trafficking. The rate for Scarlet Hope was \$7 a square foot, which included all utilities and water, but also included free use of the rest of the building as needed throughout the year for training or special events.

Sanctuary Church, through its lead pastor, Robert Pitman, is currently in conversations with God's Girls, a non-profit ministry that serves a meal once a week to the homeless about hosting this ministry out of our building for free. Sanctuary Church would work alongside God's Girls to not only provide a meal to the homeless once a week, but to connect them to other resources, to help in finding jobs and to break the cycle of homelessness.

Sanctuary Church currently has Artists and Photographers who lease space at a reduced rate (\$8.00 a square foot, which includes water, utilities and janitorial compared to the going rate of \$12 dollars a square foot for artist/office space in the same area and does not include utilities). At the present, these leases help Sanctuary Church to cover LG&E utility charges and building reserve. Sanctuary Church started aggressively working on this in 2017 when its lead pastor, Robert Pitman, was informed of the higher rate. By being grandfathered back in on the lower Basic Service Rate Sanctuary Church would be able to put some of the savings toward more outreach efforts it would like to do in the neighborhood and community.

In addition, Sanctuary Church from time to time has hosted Music Release parties for local musicians. Last November Sanctuary Church hosted a Thanksgiving Turkey and Meal giveaway to 200 families along with Kentucky Harvest. Sanctuary Church recently opened its doors to a church whose lease was up and could no longer afford to pay \$4000 where they were currently leasing. Sanctuary Church is charging them \$1500, which includes all utilities and water and janitorial services and giving 3x the space compared to what they did have at their other location (they are using Sanctuary Church's building on Saturday nights and Sanctuary Church is using it for services on Sunday morning).

- b. Regarding Sojourn Community Church's use of the building, explain the nature and frequency of their use of the building.

RESPONSE: Sojourner maintained all their offices at Sanctuary Church during 2016 while preparations were made for their new offices. The Director of Creative Arts and Staff maintained offices at Sanctuary Church from the time Sanctuary Church purchased the building in April 2016 through December 2017. Sanctuary Church also hosted its youth group and a Missional Community group during this period. Sanctuary church no longer hosts any other groups or provides office space to Sojourn, although Sojourn does use the Sanctuary Church lot for parking at times during the year for special events or services.

- c. Are there other organizations that utilize the building on a regular and frequent basis? If so, provide details of those organizations and the nature and frequency of their use of the building.

RESPONSE: No, Everything is covered under 1 (a) above.

- d. Explain whether Sanctuary Church charges these other entities for the use of the building. If so, provide the amount charged to each entity.

RESPONSE: Per the leases mentioned above in 1(a), see square footage and amount below:

Licensed massage therapist office: 400 sq. feet \$250

Artist office: 750 sq. feet \$500

Artist office: 750 sq. feet \$480

Artist office: 350 sq. feet \$250

Photographer office: 750 sq. feet \$500

Photographer office: 500 sq. feet \$350

Photographer office: 840 sq. feet \$500

Photographer office: 500 sq. feet \$300

Bourbon Bent Barbecue (we have a commercial kitchen): 625 sq. feet \$350

2. Provide a copy of any written correspondence or documentation between Sanctuary Church and LG&E related to the claims raised in the Complaint.

RESPONSE: Sanctuary Church was informed of the rate change through a letter received by Mr. Pitman in January 2017 from Jonathan Cherry in LG&E business services. The letter informed Sanctuary Church that the church was being placed on the higher rate. Unfortunately, despite a good faith effort, Mr. Pitman has been unable to locate a copy of this letter. Mr. Pitman then called Mr. Cherry to set up a face to face meeting in person to discuss this. All communication with Jonathon Cherry about these claims were done during the in-person meeting in February of 2017 and a few follow up phone calls between Mr. Cherry and Mr. Pitman.

3. Refer to the Complaint, page 2.

a. Provide a copy of the energy audit performed by LG&E.

RESPONSE: Jonathan Cherry came to Sanctuary Church with an associate and advised that energy audits are no longer available for businesses. Therefore, Sanctuary Church does not have a copy of an energy audit. Mr. Cherry did a walk thru of the building and made suggestions on how Sanctuary Church can conserve energy, in particular replacing existing lighting with LED bulbs. Sanctuary Church then contacted Tocor lighting who came out and Sanctuary Church started working to replace a lot of the lighting to LED. (see attached *Exhibit A*, Tocor Lighting invoices) Sanctuary Church has replaced some of the bulbs and fixtures on its own although there is still a lot of the building not yet completed due to budgetary constraints.

- b. Provide the status of Sanctuary Church's decision to retrofit the electric blowers and hydronic pump motors with variable speed drives.

RESPONSE: Sanctuary Church has two variable speed drive motors. One that controls air to the foyer (approx. 2500 sq. feet) and one that controls air to the Sanctuary (approx. 5000 sq. feet). Sanctuary Church did repair an existing variable speed drive unit that controls air to the foyer. Mr. Pitman would like to install a variable speed drive to the one that controls the Sanctuary but have not done so due to Sanctuary Church's budgetary constraints.

- c. Provide the status of Sanctuary Church's decision to "install a thermostat to the main part of the building and replace the remaining ones throughout the building."

RESPONSE: Mr. Pitman of Sanctuary church would like to complete this project but has been unable to do so due to budgetary constraints.

- d. Explain the basis for the statement that "all of this retrofitting, replacement and conservation may still not reduce the 'peak demand spike' for this charitable institution."

RESPONSE: Mr. Pitman was told by LG&E if Sanctuary Church got under the peak demand and maintained that for six months that Sanctuary Church would be placed back on the basic service rate; which is what Sanctuary Church was formerly on and what Sojourn was on as they received Grandfather status. This is why we are asking that we be placed back on the basic service rate under Grandfather status because even after doing all the retrofitting and improvements we still may not get under the peak demand number. Plus, budget demands for such improvements have prevented us from further improvements.

4. Provide a general description of the activities that take place inside the building on a weekly basis during the months of May through December.

RESPONSE:

Saturday night services 5:30 p.m.

Sunday services 11:00 a.m.

Sanctuary office suite daily Monday-Thursday

Youth for Christ hours Monday and Tuesday

Friday night Prayer and Worship Night (every other month)

Sanctuary Neighborhood Block Party (on a Saturday either June or July)

Thanksgiving Outreach (Food and Turkey giveaway to families in need)

Above mentioned leases: Massage therapist has daily hours and the other Artists and

Photographers are in at various times throughout the week and on the weekend

Dated at Lexington, Kentucky, this 10th day of September, 2018.

Sanctuary Church


By: 
Andre F. Regard

Attorney:

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CERTIFICATION

The undersigned, Andre Regard of Regard Law Group, PLLC hereby certifies that he is the preparer and/or the person who supervised the preparation of the responses on behalf of Sanctuary Church that the response is true and accurate to the best of his knowledge, information, and belief formed after a reasonable inquiry.

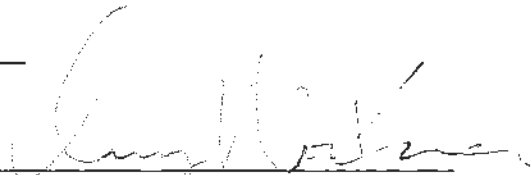


Andre F. Regard
Regard Law Group, PLLC
Counsel for Sanctuary Church

**STATE OF KENTUCKY
COUNTY OF FAYETTE**

The foregoing Verification was acknowledged, subscribed and sworn to before me by Andre Regard this 10th day of September, 2018.

My Commission Expires: 9/21/2022



NOTARY PUBLIC, State at Large
Notary ID 598657

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct electronic copy of the foregoing Responses was served on the following persons by electronic mail using the electronic mail addresses shown below and a true and correct copy in paper medium of the same was served by placing the same in the U.S. Mail for delivery to the addresses shown below all on the 10th day of September 2018:

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