

**BOEHM, KURTZ & LOWRY**

ATTORNEYS AT LAW  
36 EAST SEVENTH STREET  
SUITE 2110  
CINCINNATI, OHIO 45202  
TELEPHONE (513) 421-2255  
TELECOPIER (513) 421-2764

RECEIVED

AUG 10 2006

PUBLIC SERVICE  
COMMISSION

**Via Overnight Mail**

August 9, 2006

Beth A. O'Donnell, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602

**Re: Case No. 2006-00172**

Dear Ms. O'Donnell:

Please be advised that The Kroger Co. and St. Elizabeth Medical Center will not be submitting follow-up data requests in the above-referenced matter. By copy of this letter, all parties listed on the Certificate of Service have been served.

Please place this document of file.

Very Truly Yours,



Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.  
**BOEHM, KURTZ & LOWRY**

MLKkew  
Attachment  
cc: Certificate of Service

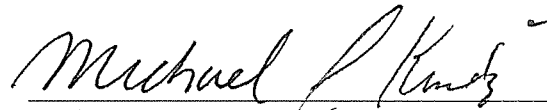
**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, via electronic mail and by first-class postage prepaid mail to all parties on the 9<sup>th</sup> day of August, 2006.

Honorable Elizabeth E. Blackford  
Assistant Attorney General  
Office of the Attorney General  
Utility & Rate Intervention Division  
1024 Capital Center Drive, Suite 200  
Frankfort, KY 40601-8204  
[betsy.blackford@ag.ky.gov](mailto:betsy.blackford@ag.ky.gov)

Honorable John J. Finnigan, Jr.  
Senior Counsel  
The Union Light, Heat and Power Company  
139 East Fourth Street  
Cincinnati, OH 45202  
[jfinnigan@cinergy.com](mailto:jfinnigan@cinergy.com)

Sandra P. Meyer, President  
Duke Energy Kentucky, Inc.  
139 East Fourth Street  
Cincinnati, OH 45202  
[spmeyer@duke-energy.com](mailto:spmeyer@duke-energy.com)

  
\_\_\_\_\_  
Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.