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November 8, 2004

HAND DELIVERY

Elizabeth O'Donnell
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40601

RE: Patricia Conner Young v. Louisville Gas and Electric Company
Case No. 2004-00425

Dear Ms. O'Donnell:

Enclosed please find and accept for filing the original and ten (10) copies Louisville Gas and Electric Company's Answer in the above-referenced matter. Please confirm your receipt of this filing by placing the stamp of your Office with the date received on the enclosed additional copies and return them to me in the enclosed self-addressed stamped envelope.

Should you have any questions or need any additional information, please contact me at your convenience.

Yours very truly,

Allyson K. Sturgeon

AKS/ec
Enclosures
cc: Parties of Record

ALLYSON K. STURGEON

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asturgeon@ogdenlaw.com

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**PUBLIC SERVICE
COMMISSION**

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In the Matter of:

PATRICIA CONNER YOUNG)
)
 COMPLAINANT)
 v.)
)
 LOUISVILLE GAS AND)
 ELECTRIC COMPANY)
)
 DEFENDANT)

CASE NO. 2004-00425

ANSWER OF LOUISVILLE GAS AND ELECTRIC COMPANY

In accordance with the Commission's Order of October 29, 2004, in the above-captioned proceeding, Louisville Gas and Electric Company ("LG&E") respectfully submits this Answer to the Complaint of Patricia Conner Young ("Ms. Young") filed on October 25, 2004. In support of its Answer, and in response to the specific averments contained in Ms. Young's Complaint, LG&E states as follows:

1. With regard to the averment that "LG&E has wrongfully denied utilities (Attach) due to business because of my DISCHARGED Bkrptcy," LG&E denies that it has wrongfully denied any utility service to Ms. Young personally or to any business to which she is associated. Utility service to her residence at 610 Oak Branch Road in Louisville is currently still connected. LG&E admits that Ms. Young received a discharge of her pre-bankruptcy petition debts on September 29, 2004 in United States Bankruptcy Court Case No. 03-35075. As a result, LG&E is no longer attempting to recover any debt owed by Ms. Young and associated with her personal utility service at her residence as of the filing of her bankruptcy petition (conversion from Chapter 13 to Chapter 7) on June 3, 2004. However, Ms. Young has personally accumulated additional charges of \$620.22, post-petition, of which \$360.38 is now past due. Thus, utility

service to Ms. Young's home address is eligible for disconnection for non-payment pursuant to 807 KAR 5:006, Section 14(f)(1).

LG&E is uncertain as to which business Ms. Young is referring in her Complaint. Regardless, Ms. Young's Chapter 7 discharge has no effect on the debt of her businesses. As to the two businesses known by LG&E to be associated with Ms. Young and to which LG&E has previously terminated service, LG&E appropriately followed the Commission's regulatory requirements for termination. One of those businesses, Kidz Capitol, previously received utility service from LG&E at 522-524 West Main Street in Louisville. Service to that business was the subject of a Complaint filed by Kidz Capitol and James Pratt on September 24, 2003. *See In the Matter of: Kidz Capitol and James Pratt v. Louisville Gas and Electric Company*, Case No. 2003-00369. In addition, \$20,998.53 is still owed to LG&E for utility service provided to Kidz Capitol. The Complaint in Case No. 2003-00369 was dismissed by the Commission with prejudice on July 5, 2004, for lack of prosecution and failure to comply with a Commission order. Utility service provided to the other known business, Japa, Inc., at 1718 West Muhammad Ali Blvd. in Louisville, was terminated on October 25, 2004, for illegal use of service by fraud pursuant to 807 KAR 5:006, Section 14(g).

2. With regard to the averments that "[a]t this time I owe LG&E nothing other than personal utilities -- and they have turned off service at that business without due cause & refused service to business stating that LG&E doesn't care," LG&E also denies these statements for the same reasons discussed in paragraph 1 above.

3. With regard to the averments that "LG&E has continued to harass me, my home and slander my name publicly -- LG&E's Attorney Jim Demus [sic] was under court order to restore service to my home and has participated with Mr. Bottom in a personal attack on me

without even realizing that I was protected by Bankruptcy regarding my rights,” LG&E categorically denies that Mr. Dimas or Mr. Bottom have harassed, slandered or participated in any personal attack on Ms. Young. Further, while LG&E disputes the basis for the Bankruptcy Court’s Order of September 24, 2003, LG&E complied with the Court’s Order and reconnected service to Ms. Young’s home on September 24, 2004.

4. With regard to the averment that Ms. Young has “legal documentation confirming the false allegations made by LG&E,” LG&E denies having made any false allegations and further is without knowledge or information sufficient to form a belief as to the truth of the averment concerning any “legal documentation.”

5. With regard to Ms. Young’s request for “service to be restored immediately -- and a deposit that is consistent with the past two months service -- as any other business in service would be treated,” LG&E affirmatively states that her personal discharge under Chapter 7 of the Bankruptcy Code has no effect on the debts of her businesses. Additionally, utility service at 1718 West Muhammad Ali Blvd will only be restored if: (1) service is lawfully established by presenting to LG&E a copy of a legitimate lease of the premises; (2) past due post-petition amounts owed by all lessees are paid in full to LG&E; and (3) a deposit determined in accordance with Kentucky Public Service Commission regulations and applicable tariffs is paid in advance.

6. With regard to Ms. Young’s demand for “the harrassment [sic] to stop as well as the slander from the handful of staff that have targeted” her and for “an immediate review of the rates charged to [her] personal utilities for the past 90 days since I filed chapter 7,” LG&E again denies any harassment or slander. As to a review of charges to her residential account, LG&E is attaching hereto copies of the Customer Usage History for LG&E service at 610 Oak Branch

Road in Louisville for the period from June 3, 2004 through November 6, 2004. As noted in paragraph 1 above, these charges were accumulated following the conversion of her bankruptcy case to Chapter 7 on June 3, 2004 and are not subject to discharge under the Bankruptcy Code.

7. LG&E denies all allegations in the Complaint which are not expressly admitted in the foregoing paragraphs of this Answer.

FIRST AFFIRMATIVE DEFENSE

The Complaint fails to set forth any claim upon which relief can be granted by this Commission and, therefore, should be dismissed.

SECOND AFFIRMATIVE DEFENSE

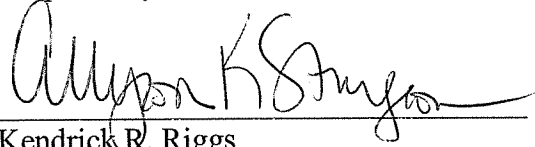
Complainant has failed to set forth a *prima facie* case that LG&E has violated its tariff or any Commission statute or regulation, and the Complaint should be dismissed for that reason.

WHEREFORE, for all of the reasons set forth above, Louisville Gas and Electric Company respectfully requests:

- (1) that the Complaint herein be dismissed without further action being taken by the Commission;
- (2) that this matter be closed on the Commission's docket; and
- (3) that LG&E be afforded any and all other relief to which it may be entitled.

Dated: November 8, 2004

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Allyson K. Sturgeon", written over a horizontal line.

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Allyson K. Sturgeon
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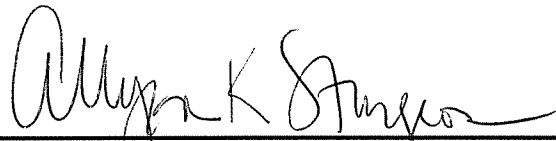
COUNSEL FOR LOUISVILLE GAS
AND ELECTRIC COMPANY

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Answer was served on the following persons on the 8th day of November 2004, U.S. mail, postage prepaid:

Ms. Patricia Conner Young
610 Oak Branch Road
Louisville, Kentucky 40245

Mr. William Yesowitch, Attorney
100 North Sixth Street
Louisville, Kentucky 40202

A handwritten signature in cursive script, appearing to read "Allison K. Stinson". The signature is written in black ink and is positioned above a horizontal line.

Counsel for Louisville Gas and Electric Co.

Customer Usage History

From 6/3/2004 To 11/6/2004

Account Number	Status	Type	Customer Name	Service Address
4000868498007	A	R	PATRICIA M YOUNG	610 OAK BRANCH RD LOUISVILLE, KY 40245

History					
Date Billed	Due Date	Utility Type	Rate Plan #	Usage Units	Amount Billed
7/30/2004	8/17/2004	E001	515	7429	\$472.45
		G001	812	84	\$89.52
Bill Total:					\$561.97
8/30/2004	9/16/2004	E001	515	3297	\$200.58
		G001	812	30	\$38.35
Bill Total:					\$238.93
9/29/2004	10/15/2004	E001	515	3380	\$200.98
		G001	812	51	\$58.56
Bill Total:					\$259.54
9/30/2004	10/18/2004	G001	812	51	\$59.61
Bill Total:					\$59.61
10/28/2004	11/15/2004	E001	515	1170	\$71.12
		G001	812	60	\$68.72
Bill Total:					\$139.84
Total Billed:					\$1,259.89

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	Date	Trans Type	Description	Amt Entered	Amt Posted	Balance
DEPOSIT	7/22/2004	Bill	A/R - DEPOSITS	\$240.00	\$240.00	\$0.00
1	7/30/2004	Bill	A/R - UTILITY CHARGE	\$472.45	\$472.45	\$472.45
	7/30/2004	Bill	A/R - UTILITY CHARGE	\$89.52	\$89.52	\$561.97
INST. DEP	8/30/2004	Bill	A/R - DEPOSITS	\$80.00	\$80.00	\$641.97
	8/30/2004	Bill	A/R - UTILITY CHARGE	\$200.58	\$200.58	\$842.55
	8/30/2004	Bill	A/R - LATE PAYMENT CHARGE	\$23.62	\$23.62	\$866.17
2	8/30/2004	Bill	A/R - UTILITY CHARGE	\$38.35	\$38.35	\$904.52
	8/30/2004	Bill	A/R - LATE PAYMENT CHARGE	\$4.48	\$4.48	\$909.00
3	9/24/2004	Transfer	A/R - UTILITY CHARGE	\$350.84	\$126.92	\$1,035.92
	9/24/2004	Transfer	A/R - UTILITY CHARGE	\$350.84	\$223.92	\$1,259.84
PAYMENT	9/24/2004	Payment	Payment Received	\$475.00	\$350.84	\$909.00
	9/24/2004	Payment	Payment Received	\$475.00	\$28.10	\$880.90
	9/24/2004	Payment	Payment Received	\$475.00	\$96.06	\$784.84
END OF DEP	9/29/2004	Bill	A/R - DEPOSITS	\$80.00	\$80.00	\$864.84
	9/29/2004	Bill	A/R - UTILITY CHARGE	\$200.98	\$200.98	\$1,065.82
	9/29/2004	Bill	A/R - LATE PAYMENT CHARGE	\$10.03	\$10.03	\$1,075.85
	9/29/2004	Bill	A/R - UTILITY CHARGE	\$58.56	\$58.56	\$1,134.41
	9/29/2004	Bill	A/R - LATE PAYMENT CHARGE	\$1.92	\$1.92	\$1,136.33
OFF. BILLING	9/30/2004	Bill	REV-RESIDENTIAL/GENERAL	\$58.56	\$58.56	\$1,077.77
	9/30/2004	Bill	A/R - UTILITY CHARGE	\$58.56	\$58.56	\$1,077.77
REC. CHG	9/30/2004	Bill	A/R - UTILITY CHARGE	\$59.61	\$59.61	\$1,137.38
	10/1/2004	Bill	A/R - CUSTOMER CONNECT CHAR	\$20.00	\$20.00	\$1,137.38
if Bg MIS take or lect	10/4/2004	Transfer	A/R - LATE PAYMENT CHARGE	\$301.01	\$13.50	\$1,150.88
	10/4/2004	Transfer	A/R - UTILITY CHARGE	\$301.01	\$287.51	\$1,438.39
	10/4/2004	Payment	CLEARING - CORRECTIONS	\$301.01	\$66.27	\$1,372.12
	10/4/2004	Payment	CLEARING - CORRECTIONS	\$301.01	\$80.00	\$1,292.12
	10/4/2004	Payment	CLEARING - CORRECTIONS	\$301.01	\$80.00	\$1,212.12
	10/4/2004	Payment	CLEARING - CORRECTIONS	\$301.01	\$7.03	\$1,205.09
	10/4/2004	Payment	CLEARING - CORRECTIONS	\$301.01	\$67.71	\$1,137.38
PAYMENT	10/7/2004	Payment	Payment Received	\$527.00	\$491.10	\$646.28
	10/7/2004	Payment	Payment Received	\$527.00	\$18.42	\$627.86
	10/7/2004	Payment	Payment Received	\$527.00	\$17.48	\$610.38

0/12/2004	Bill	A/R - CUSTOMER CONNECT CHAR	\$20.00	\$20.00	\$610.38
0/28/2004	Bill	A/R - CUSTOMER CONNECT CHAR	\$20.00	\$20.00	\$630.38
0/28/2004	Bill	A/R - CUSTOMER CONNECT CHAR	\$20.00	\$20.00	\$650.38
0/28/2004	Bill	A/R - DEPOSITS	\$80.00	\$80.00	\$730.38
0/28/2004	Bill	A/R - UTILITY CHARGE	\$71.12	\$71.12	\$801.50
0/28/2004	Bill	A/R - UTILITY CHARGE	\$68.72	\$68.72	\$870.22
1/14/2004	Payment	CLEARING - CORRECTIONS	\$250.00	\$250.00	\$620.22

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