

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MR. AND MRS. JAMES RIDDICK)	
)	
COMPLAINANTS)	
)	
V.)	CASE NO.
)	2009-00020
AMERICAN ELECTRIC POWER COMPANY,)	
KENTUCKY POWER COMPANY AND)	
GRAYSON RURAL ELECTRIC COOPERATIVE)	
CORPORATION)	
)	
DEFENDANTS)	

O R D E R

On January 14, 2009, Mr. and Mrs. James W. Riddick (“Complainants”) filed a complaint alleging that Defendants, American Electric Power Company (“AEP”), Kentucky Power Company (“Kentucky Power”) and Grayson Rural Electric Cooperative Corporation (“Grayson”), are depriving them of electrical service at their home located at 1230 Rockhouse Trace Road in Louisa, Kentucky, and charging them an unreasonable amount to establish electrical service, which the area once had. On February 9, 2009, Kentucky Power filed its answer to the complaint, urging the Commission to dismiss AEP as a defendant because it is not a proper party to this proceeding and to dismiss the complaint on the grounds that Kentucky Power acted in accordance with its filed tariffs and the Commission’s regulations. On February 13, 2009, Grayson filed its

answer to the complaint and asked that the complaint be dismissed for failure to state a cause of action against Grayson.

On February 23, 2009, the Commission issued an Order directing the Complainants to file a typewritten response to Kentucky Power's motion to dismiss within 20 days of the date of the Order. Complainants should have filed their response with the Commission on or before March 16, 2009. The Commission has not received the response as of the date of this Order. On March 31, 2009, Kentucky Power filed a motion to dismiss the complaint, noting that the Complainants had not filed a response to the initial motion to dismiss as ordered by the Commission. In support of its motion, Kentucky Power argues that the Complainants are seeking relief that is not available to them under Kentucky law.

Complainants shall file a typewritten response to Kentucky Power's and Grayson's motions to dismiss within 20 days of the date of this Order. Should the Complainants fail to file any response, Kentucky Power's and Grayson's motions to dismiss will be submitted for a decision. If a response is filed by the Complainants, Kentucky Power and Grayson shall have 10 days thereafter to file their replies, if any.

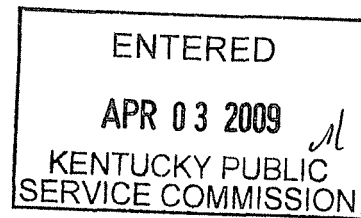
IT IS THEREFORE ORDERED that:

1. Complainants shall have 20 days from the date of this Order to file their typewritten response to Kentucky Power's and Grayson's motions to dismiss addressing the issues raised in the motions.

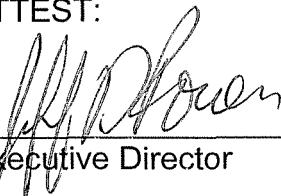
2. Failure to file a typewritten response within 20 days of the date of this Order shall cause the motions to dismiss to stand submitted, and the Commission will render a decision based on the information currently contained in the record.

3. If a response is filed by the Complainants, Kentucky Power and Grayson shall have 10 days thereafter to file replies.

By the Commission



ATTEST:



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