

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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**PUBLIC SERVICE
COMMISSION**

In the Matter of:

APPLICATION OF COLUMBIA)
GAS OF KENTUCKY, INC. FOR AN)
ADJUSTMENT IN RATES)

CASE NO. 2009-00141

TESTIMONY OF JACK E. BURCH ON BEHALF OF CAC

Comes now the Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. (CAC), by counsel, and hereby tenders the pre-filed, written testimony of Jack E. Burch in support of its position in this matter.

Respectfully,



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COUNSEL FOR CAC

1 **Q. Please indicate your name, address and, describe your current position and**
2 **professional background.**

3 A. My name is Jack E. Burch and I have served as Executive Director of Community Action
4 Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties since 1979. The
5 Council operates 32 neighborhood and community centers and child development centers in
6 six counties and its Administrative and Support Services offices are located at 710 West High
7 Street in Lexington, Kentucky. I received a Masters degree in economics from Vanderbilt
8 University and hold a Bachelors degree from Rhodes College. I am the founder and
9 President of the WinterCare Energy Fund.

10 **Q. Please describe the purpose of your testimony.**

11 A. The purpose of my testimony is to state the position of the organizations I represent with
12 respect to the proposed rate increase and other proposals of Columbia Gas of Kentucky, Inc.
13 and to provide information in support of my position. In summary, we do not believe that a
14 rate increase is a reasonable or appropriate expectation for Columbia Gas's low-income
15 customers. We also believe that increases in late payment and reconnect fees will place
16 additional burdens on low-income customers and assistance programs at a time of great
17 economic distress.

18 We are supportive of the Company's proposal for a low-income demand-side management
19 program. My testimony will provide a perspective that represents issues that should be given
20 full consideration in rendering a decision on this case. I am an advocate on behalf of low-
21 income customers. The Council is a low-income services, development and advocacy
22 organization.

1 **Q. Please describe the organization of Community Action Council and give a brief**
2 **description of its activities.**

3 A. Community Action Council was established in 1965 as a not-for-profit community action
4 agency of the Commonwealth of Kentucky. The Council's governance includes a Board of
5 Directors representing low-income, public and private sectors of the community. Its mission
6 is to combat poverty.

7 There are approximately 275 employees operating and administering the Council's primary
8 programs and services including:

- 9 • self-sufficiency
- 10 • child development
- 11 • homeless programs
- 12 • volunteer programs
- 13 • youth development
- 14 • transportation services
- 15 • clothing banks
- 16 • housing
- 17 • energy assistance and conservation programs
- 18 • emergency assistance
- 19 • community outreach and referrals.

20 Although the Council's core service territory includes Lexington-Fayette, Bourbon, Harrison
21 and Nicholas counties, the Council also provides services in other Kentucky counties. For
22 example, the Council administers the WinterCare Energy Fund providing services across

1 most of the state; child development services extend into Scott and Madison counties; the
2 Retired and Senior Volunteer Program extends into Jessamine County. Community Action
3 Council is the state-wide grantee for Kentucky's Migrant Head Start program. The Columbia
4 Gas Energy Assistance Program and Kentucky Utilities' Home Energy Assistance Program
5 that we administer each provide services throughout the service territory of their respective
6 utilities. The Council also operates the Kentucky American Water Help to Others (H2O)
7 Program throughout the utility's service area.

8 In most instances, e.g., Kentucky Utility's Home Energy Assistance Program and Columbia
9 Gas's Energy Assistance Program, the Council assures state-wide services through sub-
10 contracts with Kentucky's other community action agencies. (There are 23 agencies covering
11 all 120 counties.)

12 The Council is uniquely positioned to speak on behalf of low-income populations with
13 utility-related problems as staff has extensive contact with and knowledge of this population.
14 Additionally, Council staff is able to help participants access other Council assistance
15 programs as well as other community resources to address the multiple obstacles and barriers
16 that most low-income households face. This comprehensive approach provides greater
17 stability and self-sufficiency to these households, supporting a family's ability to afford
18 necessities such as utility service.

19 **Q. Please describe in detail the Council's programs and services, especially those that**
20 **partner with public utilities.**

21 A. The Council creates opportunities for individuals and families to become self-sufficient
22 members of the community. Created in 1965, the Council is the designated community action

1 agency for Lexington-Fayette, Bourbon, Harrison, and Nicholas counties in Central
2 Kentucky and serves the low-income population through advocacy, service delivery and
3 community involvement. The mission of the Council is to combat poverty.

4 The Council operates **Head Start, Early Head Start** and **Migrant Head Start** child
5 development programs that have been recognized nationally. The organization also operates
6 several housing programs, including two **Continuum of Care** projects funded by the
7 Department for Housing and Urban Development and a supportive housing and substance
8 abuse/mental health **Comprehensive Treatment Initiative** funded by the Substance Abuse
9 and Mental Health Services Administration. These projects help homeless families
10 reconstruct their lives by working with the families to determine and address the causes of
11 homelessness. Another housing program offered is **Tenant Based Rental Assistance**
12 **(TBRA)**, which provides assistance to Section 8-eligible households throughout the
13 Council's service area.

14 Other programs include senior volunteerism projects **Retired and Senior Volunteer**
15 **Program (RSVP)** and the **Foster Grandparents Program (FGP)**. To support economic
16 independence, the Council offers a **Financial Fitness** consumer education program that
17 provides training on financial management and offers families the chance to save for a home,
18 small business or higher education. Also, the Council works each year with community
19 partners to provide tax preparation and education on the **Earned Income Tax Credit**
20 **(EITC)** and assistance with tax preparation through the **Volunteer Income Tax Assistance**
21 **(VITA)** program.

1 The Council also operates a number of utility assistance programs in partnership with local
2 utilities, public and private funding sources, and other community action agencies across the
3 state. These are described below.

4 In 1983, Community Action Council initiated, with Kentucky Utilities, the
5 **WinterCare Energy Fund**. The Council has provided administrative services,
6 financial management and marketing support for the Fund since that time. The
7 Council has also managed the federal **LIHEAP** program (Low-Income Home
8 Energy Assistance Program) serving low-income customers in Fayette, Bourbon,
9 Harrison, and Nicholas counties since its inception.

10 Since 1978, the Council has operated the federal **Weatherization Assistance**
11 **Program** designed to help low-income individuals and families conserve energy.

12 Weatherization services include caulking, weather-stripping, replacement of
13 thresholds and door sweeps, re-glazing windows and replacing broken glass,
14 outside wall repair, minor roof repair, attic insulating, repairing and replacing
15 skirting around the foundation, under-floor insulation including wrapping pipes
16 and insulating heat ducts, venting the attic and crawl spaces, and repairing or
17 replacing heating equipment and venting systems. Beginning in 2009, the Council
18 began operating the **Clean Energy Corps** project led by the Kentucky Housing
19 Corporation (KHC) that provides additional resources for home weatherization.
20 KHC designated the Council to implement the program's pilot because of the
21 Council's record of performance and leadership in low-income energy issues.

1 The Council currently administers a utility funded energy subsidy program
2 serving 850 low-income households in partnership with **Columbia Gas of**
3 **Kentucky** and the network of community action agencies serving the Columbia
4 Gas service territory. Also, in cooperation with Columbia Gas, the Council
5 formerly operated a “Buyers Club” for the purchase of natural gas, aggregating
6 low-income and other customers for collective buying power within Columbia
7 Gas’ Choice Program.

8 The Council also implemented and administers the **Kentucky Utilities Home**
9 **Energy Assistance (HEA) Program**, that serves 2,600 KU customers whose
10 primary heat source is KU electricity by providing regular monthly subsidies
11 throughout the winter and summer peak usage months.

12 The Council’s **Summer Cooling** program serves seriously ill and disabled
13 customers with the provision and installation of air conditioners.

14 Beginning in 2003 through 2005, the Council operated a demand-side
15 management program through the Department of Health and Human Services,
16 Office for Community Services, called REACH (Residential Energy Assistance
17 Challenge). Also in 2003, the Council contracted with Honeywell to assist in
18 carrying out the Kentucky Utilities “We Care” demand side management program
19 in its four core counties. That partnership continued through 2004 when
20 Community Action Council withdrew from the program. The Council continues
21 to provide energy conservation services through its federal, state and privately
22 funded Weatherization programs. The Council proposed to provide intakes and

1 energy audits for KU's We Care demand side management program. That
2 proposal was not accepted by the company and is currently the subject of a
3 proposed informal conference at the Commission.

4 The Council also administers Help to Others (H2O) through contributions from
5 Kentucky American Water shareholder funds and customer donations. The funds
6 are available throughout the Kentucky American Water service territory for low-
7 income customers. Assistance is provided for water service, activation fees and
8 reactivation fees. Participants may receive up to \$100 in benefits per fiscal year if
9 they are in danger of having their water disconnected. Intake staff provides
10 information to participants about saving water and detecting leaks.

11 **Q. Are there initiatives with which Community Action Council partners with Columbia**
12 **Gas? Please discuss.**

13 A. In addition to administering the Columbia Gas Energy Assistance Program described
14 above, the Council administers contributions from Columbia Gas customers and matching
15 corporate funds from the Company for WinterCare. The funds are available throughout the
16 Columbia Gas service territory through the community action agency network.

17 Also, in 2008 and again in 2009, Columbia Gas and its parent company NiSource have been
18 the presenting sponsor for the Council's signature annual event – The Poverty Forum. This
19 event creates a community conversation about poverty with an annual dinner featuring guest
20 speakers who discuss issues facing low-income people and how community members can be
21 more involved in solutions to poverty. The dinner is followed up throughout the year with a
22 series of smaller, neighborhood-level conversations where low-income people, community

1 members, leaders and Council staff members gather to discuss neighborhood-specific issues
2 and solutions. The Columbia Gas/NiSource Foundation combined contribution of \$20,000
3 annually has been essential to the success of The Poverty Forum.

4 **Q. Please describe the low-income population in the Columbia Gas service territory.**

5 A. Based on 2005 Census data – the most recent county-level poverty data available – the
6 following chart provides poverty status by county for Columbia Gas service counties.

7 Several of the Columbia Gas service counties report some of the highest poverty rates in
8 Kentucky and even in the United States. Sixteen counties report poverty rates above 20%
9 that, according to Census definitions, are extremely high. Owsley County, with a poverty
10 rate of 44.4% is the most impoverished county in Kentucky according to these definitions.

11 The Census Bureau uses income and family size as the basis for determining poverty.
12 Poverty and need affordability is an economic equation of income versus basic needs of a
13 family depending on the size of a family. Families in poverty, based on the limits of their
14 income, cannot meet their basic needs. Many families well above this minimum threshold
15 also struggle to meet basic needs.

16 Focusing on current energy affordability, families could not meet their basic energy needs
17 this year as evidenced by data from the Low Income Home Energy Assistance Program
18 (LIHEAP) in Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties administered by
19 the Council. Between January and March 2008, the Council took 3,458 applications for
20 LIHEAP assistance, paying more than \$115,214 to Columbia Gas and \$57,660 from funding
21 sources other than LIHEAP. Due to insufficient funding, the Crisis program closed in
22 February 2008, marking the earliest time on record that the program has been forced to close

1 because funds were exhausted. In 2009, when substantially larger funding amounts were
2 available for LIHEAP, the Council took 9,479 applications for LIHEAP assistance, paying
3 more than \$412,608 to Columbia Gas and \$63,967 from funding sources other than LIHEAP.
4 Each year the high winter heating bills begin to arrive even while some families are still
5 disconnected or carrying high arrearages because the LIHEAP and Wintercare programs
6 were unable to meet existing needs in the winter and spring of the previous year. It is during
7 this period that we observe families making choices to discontinue service rather than pay
8 what is still owed in order to shift resources to meeting other needs, such as food and
9 medicine.

10 The chart below lists each county in which Columbia Gas has customers, the number of
11 customers in those counties and the poverty rate, according to U.S. Census Bureau estimates,
12 for each of those counties. In the final column, the poverty rate has been applied to the
13 number of customers to develop an estimated number of Columbia Gas customers in poverty
14 in each county. This calculation was not performed for counties with fewer than 10
15 customers in order to minimize statistical error.

1 **Poverty Rates by Columbia Gas Service County**

County name	# of Columbia customers	Poverty rate	Estimated number of customers in poverty
Bath	3	23.9%	N/A
Bourbon	2,818	16.1%	454
Boyd	9,697	16.4%	1,590
Bracken	130	15.4%	20
Carter	4	19.3%	N/A
Clark	5,884	14.8%	871
Clay	12	41.9%	5
Estill	1,503	26.3%	395
Fayette	63,682	15.9%	10,125
Floyd	823	32.9%	271
Franklin	10,437	13.6%	1,419
Greenup	6,647	15.2%	1,010
Harrison	1,669	14.2%	237
Jessamine	696	14%	97
Johnson	27	24.4%	6
Knott	187	31.7%	59
Lawrence	926	25.3%	234
Lee	4	34.9%	N/A
Letcher	1	27%	N/A
Lewis	77	28.9%	22
Madison	525	18.7%	98
Martin	782	35.8%	280
Mason	2,492	19.1%	476
Menifee	47	27.2%	13
Montgomery	2,518	19.3%	486
Morgan	9	27.1%	N/A
Nicholas	25	19.4%	5
Owsley	20	44.4%	9
Pike	575	20.8%	120
Robertson	10	22.3%	2
Scott	4,849	9.4%	456
Woodford	4,426	10.6%	469
Total	121,505		19,229

2
3 This data effectively illustrates the number of low-income families who cannot meet their
4 basic needs with current income with a total estimate of more than 19,000 Columbia Gas

1 customers living at or below the Federal Poverty Level. For a senior citizen on a fixed
 2 income, utility service is not only a basic need it is a survival need. This does not include an
 3 assessment of other basic needs that households require like food, shelter, and medication.
 4 The volatile price of gasoline, for example, has forced families to make difficult decisions
 5 even to maintain their employment. The stress of these demands stretches a family's
 6 resources beyond what it can sustain.

7 **Q. Please describe how the proposed rate increases will affect low-income customers.**

8 A. As derived from the chart above, data indicate that approximately 19,229 of the
 9 Company's customers are low-income. Using estimates in the chart below that were provided
 10 by the Company in response to data requests from the Council, the average customer's
 11 monthly bill would increase by \$11.58 or \$138.96 annualized. This amounts to a more than
 12 \$2.6 million impact on the incomes of low-income people in the Columbia Gas service area,
 13 which includes some of the most impoverished regions of Kentucky.

Estimated Number of Low-Income Customers	June 2009 Average, Monthly Total Bill	Average, Monthly Total Bill After Year 2 of Proposed Changes	Real Dollar Monthly Increase	Real Dollar Annual Increase	Annual Impact on Low-Income Customers
19,229	\$68.36	\$79.94	\$11.58	\$138.96	\$2,672,062

14
 15 It is important to consider the context of these numbers. These 19,229 customers have
 16 incomes below basic survival needs (housing, food, etc.), yet they would be expected to find
 17 an additional \$2,672,062 to maintain an essential service. The current economic crisis will
 18 only exacerbate the likely impact of the proposed increase.

1 Given current economic realities, existing energy assistance resources fall far short of
2 meeting the need of low-income customers of the company. Rate and fee increases as
3 proposed will have a detrimental impact on the poor, who already have extremely limited
4 resources.

5 If the energy affordability gap continues to widen, families will be forced to make choices
6 about which basic needs they will attempt to satisfy. Families have to do this now at current
7 rates. With rate and fee increases, the magnitude of having to negotiate basic needs will
8 increase and the impact will become greater. The stress of stretching resources will continue
9 to act as a barrier to increasing opportunity and reaching self-sufficiency. The increases will
10 create a barrier but they will also create a situation where relief agencies will be less able to
11 provide the critically needed assistance to the low-income customers they serve.

12 **Q. Please describe how the proposed fee increases will impact low-income customers**
13 **and assistance programs.**

14 A. The Company also has proposed implementing a 5 percent late payment penalty and
15 increasing the reconnect fee from \$25 to \$60. The Council is especially concerned with these
16 increases because of the impacts on both low-income customers and the programs and
17 organizations that assist those customers with their bills.

18 The inability of low-income customers to bear additional cost for this essential service is
19 discussed above. Additionally, low-income households are regularly forced with choosing
20 among basic necessities from food to prescriptions to utilities. That makes low-income
21 customers most vulnerable and disproportionately likely to be assessed both late payment
22 penalties and reconnect fees. On the new, average monthly bill as proposed by the Company

1 - \$79.94 – the 5% late payment penalty would amount to approximately \$4. This is
2 equivalent to the cost of the generic form of some important prescription drugs.
3 Because they struggle to pay all of their monthly liabilities, low-income customers are also
4 more likely to face an interruption of service and be forced to pay the new, higher reconnect
5 charge. While the Company’s desire to recover its actual reconnection costs is legitimate, we
6 believe this new fee to be, nevertheless, too high for its poorest customers. A low-wage
7 worker making the federal minimum wage of \$7.25 would have to work approximately 1.5
8 eight-hour days to bring home enough money for the cost of just a \$60 reconnect fee. The
9 Council would like the Company to consider other options, including delaying disconnection
10 of service for low-income customers.

11 Finally, the late payment penalty and increased reconnect fee will effectively reduce the
12 amount of energy assistance available for low-income customers. This happens because low-
13 income customers often wait until their bill is late or service has been disconnected before
14 they seek assistance. In fact, some assistance programs, such as the Low Income Home
15 Energy Assistance Program Crisis Component, require a disconnect notice in order to be
16 eligible. This leaves low-income assistance programs paying for any arrearages, late payment
17 penalties and reconnect fees. Every dollar paid in late payment penalties or reconnect fees is
18 one less dollar available to help another low-income customer keep his or her heat on.

19 The potential impact on low-income assistance programs is substantial. Many disconnections
20 and late payments are made by low-income customers. According to data provided by the
21 Company in response to data requests, more than 3,800 customers were assessed a reconnect
22 fee at least one time. This does not include customers who may have experienced multiple

1 service interruptions. If only half of reconnections occur with low-income customers the new
2 fee could result in nearly \$115,000 of low-income energy assistance funding used to pay
3 reconnect fees.

4 If the function of a late payment penalty is to discourage late payments, then the effect of that
5 penalty is lost on low-income customers. Many low-income customers seek assistance for
6 bill payment and, therefore, ultimately aren't incurring the penalty. The penalty, instead, is
7 assessed on low-income energy assistance programs.

8 **Q. The Company has proposed working with Community Action Council to implement**
9 **the low-income residential demand side management program. Is the organization**
10 **experienced in the field of low-income weatherization and demand side management?**

11 A. Since 1978, the Council has operated a Weatherization Assistance Program designed to
12 help low-income individuals and families conserve energy. Weatherization services include
13 caulking, weather-stripping, replacement of thresholds and door sweeps, re-glazing windows
14 and replacing broken glass, outside wall repair, minor roof repair, attic insulating, repairing
15 and replacing skirting around the foundation, under-floor insulation including wrapping pipes
16 and insulating heat ducts, venting the attic and crawl spaces, and repairing or replacing
17 heating equipment and venting systems. Weatherization is funded by the U.S. Department of
18 Energy. All project reviews have rated the program excellent or higher. There have been no
19 audit findings or disallowances since the program's inception in 1978.

20 In 2009 the Council was chosen to implement the first 100-home pilot project that would
21 become the Kentucky Clean Energy Corps. This new program, led by Kentucky Housing
22 Corporation and the Kentucky Administration and Finance Cabinet, injects additional funds

1 into the existing federal Weatherization program to provide substantial, innovative measures
2 in each home. The pilot project is ongoing, but measures include those allowed by the federal
3 Weatherization program (described above) and additional measures which may include
4 renewable and very efficient activities such as solar water heat and geothermal.

5 The Council also operates a Weatherization Enhancement furnace replacement program for
6 low-income households without a primary heat source. That program is funded by a
7 Community Development Block Grant (CDBG) allocation from the U.S. Department of
8 Housing and Urban Development through Lexington-Fayette Urban County Government.

9 The Council also operates a housing rehabilitation program in the three rural counties of its
10 service territory. This program provides major home rehabilitation for low-income
11 households through forgivable loans and is supported with federal HOME funding received
12 through Kentucky Housing Corporation. The Council receives additional federal funding
13 through Kentucky Housing Corporation for a Tenant Based Rental Assistance (TBRA)
14 program and two separate Continuum of Care homeless programs.

15 Beginning in 2003 through 2005, the Council operated a demand-side management program
16 through the Department of Health and Human Services, Office for Community Services,
17 called REACH (Residential Energy Assistance Challenge). Also in 2003, the Council
18 contracted with Honeywell to assist in carrying out the Kentucky Utilities “We Care”
19 demand side management program in the Council’s four core counties. That partnership
20 continued through 2004.

21 **Q. Please explain the impact of the proposed low-income residential demand side**
22 **management program.**

1 A. The Council is very supportive of the Company's proposal for a low-income residential
2 demand side management program as proposed. This pilot project would serve 140 homes
3 per year by providing up to \$2,200 toward the cost of installation for qualifying customers. It
4 is important to note that \$2,200 is not sufficient in most cases to cover the cost of purchase
5 and installation of a furnace of 90 percent efficiency or higher as required in the proposal.
6 However, the Company has rightly proposed that the program will be operated by the
7 Council and other federal Weatherization program providers under contract with the Council.
8 This relationship will allow maximum leverage of ratepayer dollars as the Council and its
9 partner agencies coordinate funds from the Columbia Gas program with federal
10 Weatherization funds and funds from the Kentucky Clean Energy Corps to provide a
11 comprehensive weatherization package for low-income households. Also, contracting the
12 program to the Council and its partners will allow these organizations to ensure there are no
13 duplications of service that arise when multiple programs serve the same household but do
14 not communicate with each other. This problem unfortunately occurs regularly in other
15 utility companies' demand side management programs.

16 Low-income residential demand side management programs are important because they
17 provide energy efficiency measures not otherwise available to low-income families because
18 of cost. These programs will become even more important as anticipated federal and state
19 laws, regulations and initiatives to reduce carbon emissions are likely to increase the cost of
20 all energy sources. These well-intended changes will increase costs, widening an already
21 existing energy affordability gap. The Company, regulators, ratepayers, and others can lessen
22 this burden by providing low-income households with measures to reduce their energy

1 consumption. In this way, all ratepayers will be protected from the cost of increased
2 arrearages, bad debt and shutoffs that will occur as energy rates increase.

3 The Company's proposed furnace replacement program is an excellent start and could save
4 on average 12 to 15 percent on the participant household's monthly bill. That savings would
5 be even greater if the furnace being replaced were operating at an efficiency rating less than
6 78 percent – which could be the case with a number of households. Also, those savings do
7 not include any additional reduction in usage created by leveraging additional weatherization
8 funding through the federal Weatherization program and Kentucky Clean Energy Corps.

9 As noted above, there are more than 19,000 low-income customers in the Company's service
10 area who are at or below 100 percent of the federal poverty guidelines. Under the Company's
11 proposal to serve households at or below 200 percent of the federal poverty guidelines, there
12 are potentially more than 38,000 eligible households. Since the proposal in this case is to
13 serve 140 participants, it is the Council's hope that this program proves successful and can be
14 expanded significantly in the future.

15 **Q. Are resources for energy assistance sufficient to meet the needs of the population in**
16 **the Columbia Gas service territory? Please discuss.**

17 A. No, resources are not sufficient to meet the needs of the population. Federal LIHEAP
18 funding to the state has been highly variable in the past several years. The WinterCare
19 Energy Fund is limited primarily to individual and corporate donations, which also fluctuate
20 (see chart below). The fund has not significantly increased in the past 10 years and, in fact,
21 ratepayer contributions have decreased each of the past 5 years.

1 **WinterCare Energy Fund Contributions (Columbia Gas customer and company**
2 **donations)**

3

Year	Ratepayer Contributions
2005	\$43,145
2006	\$41,885
2007	\$38,894
2008	\$37,779
2009*	\$15,268

4 *Through May 2009

5 There continues to be a significant gap between the cost of utility service and the ability of
6 the elderly, the working poor and other low-income households to pay for such service.
7 Current public and private energy assistance initiatives within the Columbia Gas service area
8 do not come close to addressing this gap. Each year, Community Action Council is forced to
9 turn away hundreds of families who urgently need energy assistance for lack of available
10 funds.

11 **Q. In summary, please state your position regarding the Company's proposal for an**
12 **increase in rates and fees.**

13 A. The rate and fee increases will negatively affect the ability of low-income customers to
14 pay for essential service. Proposed changes to reconnect fees and late payment penalties will
15 negatively impact not only low-income customers but also the assistance programs that
16 provide them with help paying bills.

17 The Council is very supportive of the Company's proposed low-income residential demand
18 side management program.

1 **Q. Does this end your direct testimony?**

2 A. Yes

3


I have read the above questions and answers and they are correct to the best of my information and belief.



JACK E. BURCH

COMMONWEALTH OF KENTUCKY)
COUNTY OF FAYETTE)

Subscribed to and sworn to before me by Jack E. Burch on the 20th day of July, 2009.



NOTARY PUBLIC
My commission expires: 6/25/2013

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of July, 2009, a true and accurate copy of the **Testimony of Jack E. Burch on Behalf of CAC** was served by United States mail, postage prepaid to:

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