

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CYNTHIA VOGT)	
)	
COMPLAINANT)	
)	CASE NO.
V.)	2009-00482
)	
LOUISVILLE GAS AND ELECTRIC COMPANY)	
)	
DEFENDANT)	

O R D E R

On December 7, 2009, Complainant, Cynthia Vogt, filed a Complaint against Defendant, Louisville Gas and Electric Company ("LG&E"). The Complaint requests that LG&E modify its billing practice to extend her bill due date in order to ensure that she has enough time to pay the bill each month before incurring late charges. Complainant also asks that LG&E allow her to pay her bill on a specific day of each month.

On February 18, 2010, the Commission issued an Order to LG&E requiring it to answer the Complaint or otherwise satisfy the issues raised in the Complaint. LG&E filed its Answer to the Complaint on March 1, 2010.

In its Answer, LG&E states that it offered to satisfy the Complaint by offering to enroll Ms. Vogt in LG&E's Fixed and Limited Income Extension ("FLEX") program, which would allow Ms. Vogt to choose her monthly bill due date. However, LG&E stated in its Answer that Ms. Vogt refused its offer to enroll in the FLEX program. LG&E

further requested that the Commission dismiss the Complaint for failure to set forth a claim upon which relief may be granted by the Commission and for failure to set forth a prima facie case.

On May 6, 2010, the Commission issued an Order to Ms. Vogt requiring her to file a statement with the Commission, within 20 days of receipt of the Order, explaining why LG&E's offer of satisfaction has not resolved her complaint. The Commission finds that more than 30 days have passed since the Commission's May 6, 2010 Order was issued. However, Complainant has not filed any statement in response to the Commission's May 6, 2010 Order.

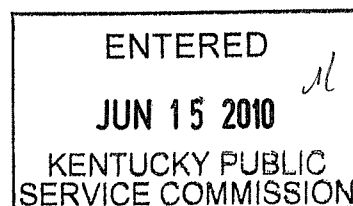
As the Commission noted in its May 6, 2010 Order, it appears that, if Complainant were to accept LG&E's offer to enroll in the FLEX program and were allowed to designate a monthly due date of her choosing for her electric bills, then the issues raised in her Complaint would be satisfied. Therefore, the Commission finds that LG&E's March 1, 2010 offer of satisfaction is a reasonable offer of settlement, and Complainant's refusal to accept the offer of settlement does not constitute a reasonable response to the utility's offer. As such, the Commission finds that the Complaint should be dismissed.

Based upon the foregoing, IT IS HEREBY ORDERED that the Complaint filed by Complainant, Cynthia Vogt, against Defendant, LG&E, is dismissed with prejudice.

By the Commission

ATTEST:


Executive Director



Lonnie E Bellar
VP - State Regulation an
Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40202

Cynthia Vogt
3801 Carriage Pointe Drive
Crestwood, KY 40014-8537