

### LEGAL AID SOCIETY

PURSUING JUSTICE RESTORING HOPE

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June 22, 2010

VIA HAND DELIVERY

Mr. Jeff Derouen Executive Director Kentucky Public Service Commission 211 Sower Boulevard Frankfort, Kentucky 40601 PAGENED

JUN 2 2 2010 PUBLIC SERVICE

COMMISSION

RE: In the Matter of:

JOINT APPLICATION OF PPL CORPORATION, E.ON AG, E.ON US INVESTMENTS CORP., E.ON U.S. LLC, LOUISVILLE GAS AND ELECTRIC COMPANY AND KENTUCKY UTILITIES COMPANY FOR APPROVAL OF AN ACQUISITION OF OWNERSHIP AND CONTROL OF UTILITIES; CASE NO 2010-00204

Dear Mr. Derouen:

Enclosed for filing in the above-captioned case are an original and twelve (12) copies of a Tendered First Request for Information of Association of Community Ministries to PPL Corporation, E.ON AG, E.ON US Investments Corp., E.ON U.S. LLC, Louisville Gas and Electric Co. and Kentucky Utilities Co.

Thank you for your assistance in this matter. Please contact me if you need further information.

Sincerely,

Lisa Kilkelly Eileen Ordover Attorneys for ACM

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Cc: parties of record







# RECEIVED

### COMMONWEALTH OF KENTUCKY

## BEFORE THE PUBLIC SERVICE COMMISSION

JUN 2 2 2010
PUBLIC SERVICE
COMMISSION

## In The Matter Of:

JOINT APPLICATION OF PPL CORPORATION, E.ON AG,	)	
E.ON US INVESTMENTS CORP., E.ON U.S. LLC,	)	
LOUISVILLE GAS AND ELECTRIC COMPANY AND	)	CASE NO.
KENTUCKY UTILITIES COMPANY FOR APPROVAL OF	)	2010-00204
AN ACQUISITION OF OWNERSHIP AND CONTROL OF	)	
UTILITIES	)	

TENDERED FIRST REQUEST FOR INFORMATION OF ASSOCIATION OF COMMUNITY MINISTRIES TO PPL CORPORATION, E.ON AG, E.ON US INVESTMENTS CORP., E.ON U.S. LLC, LOUISVILLE GAS AND ELECTRIC COMPANY AND KENTUCKY UTILITIES COMPANY

In accordance with the procedural schedule established by the Commission by Order dated June 15, 2010, Association of Community Ministries ("ACM"), which filed its Motion for Full Intervention June 17, 2010, by counsel, tenders its First Request for Information and if intervention is granted, requests the response of the Joint Applicants to the following Requests for Information.

#### GENERAL INSTRUCTIONS

- (1) Please identify the company and witness who will be prepared to answer questions concerning each request.
- (2) If any request appears confusing, please request clarification directly from the undersigned.
- (3) To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.
- (4) If the company has objections to any request on the grounds that the requested information is proprietary in nature, or for any other reasons, please notify the undersigned as soon as possible.

- (5) For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and the nature of and legal basis for the privilege asserted.
- (6) To the extent that a request calls for information not available for all categories or all periods of time for which the information is sought, please explain why the information is not available and answer the request for the time or categories for which it is available.

## REQUESTS FOR INFORMATION

- 1) Please refer to page 11 of the Joint Application in which the Joint Applicants state "PPL Electric has been an industry leader in helping customers in need as one of the first utilities in Pennsylvania to offer programs to help low-income customers pay electric utility bills." Please describe fully all such programs to which the Joint Applicants refer and for each program include:
  - a) A complete description of the program;
  - b) Whether such program is required by law or regulation or is voluntary;
  - c) The number of customers assisted;
  - d) The date of implementation;
  - e) Whether such program is currently in operation or, if not, the date of termination;
  - f) How such program is funded;
  - g) Reference to any Pennsylvania Public Utility Commission case relating to such program;
  - h) A copy of the most recent evaluation and/or report on said program.
- 2) Please refer to Exhibit D to the Joint Application, Regulatory Commitment No.

36.

- a) Please describe the "date of the merger" referred to in the first sentence and explain the significance of this date as a reference point for measurement of the level of involvement in community activities.
- b) Please describe how the Purchaser and the Company plan to carry out this commitment.
- c) Please describe how Purchaser and Company will measure that their activities will be conducted on a level comparable to or greater than the participation levels experienced prior to the date of the merger, including what kinds of baselines for measurement will be used.
- d) Please describe how the activities described in the second sentence relate to the activities described in the first sentence. Are both sentences referring to the same activities or do the activities listed in the second sentence differ from the activities listed in the first sentence? Please explain fully.
- e) Is it the Joint Applicants' intention that the ten year commitment applies to all activities described in both sentences of Regulatory Commitment No. 36?
- 3) Regulatory Commitment No. 36 is similar to a commitment made previously in PSC Case No. 2000-095, Order dated May 15, 2000, Appendix A, (Other Commitments and Assurances No. 3).
  - a) Please explain how the applicable parties carried out the previous similar commitment of PSC Case No. 2000-095.
  - b) Describe how compliance with such previous commitment was measured, such as through reports, evaluations or other means.

- c) Provide copies of any such reports, evaluations or other means of measurement relating to this previous commitment.
- 4) Regulatory Commitment No. 36 is also similar to a commitment made previously in PSC Case No. 2001-104, Order dated August 6, 2001, Appendix A, (Other Commitments and Assurances No. 38).
  - a) Please explain how the applicable parties carried out the previous similar commitment of PSC Case No. 2001-104.
  - b) Describe how compliance with such previous commitment was measured, such as through reports, evaluations or other means.
  - c) Provide copies of any such reports, evaluations or other means of measurement relating to this previous commitment.
- 5) Refer to Regulatory Commitment No. 40.
  - a) Please describe how Purchaser plans to carry out this commitment.
  - b) How do the activities described in Commitment No. 40 relate to the activities described in Commitment No. 36?
  - c) Commitment No. 40 is similar to a commitment made in PSC Case No. 2001-104, Order dated August 6, 2001, Appendix A (Other Commitments and Assurances, No. 43). Please explain how the applicable parties carried out the previous similar commitment of PSC Case No. 2001-104.
  - d) Describe how compliance with such previous commitment was measured, such as through reports, evaluations or other means.
  - e) Provide copies of any such reports, evaluations or other means of measurement relating to this previous commitment.

- 6) Please refer to Regulatory Commitment No. 43. Please describe how the Purchaser, LG&E and KU plan to carry out this commitment, including what policies and practices it expects to include in such review.
- Regulatory Commitment No. 43 is similar to a commitment made previously in PSC Case No. 2000-095 (Order dated May 15, 2000, Appendix A, (Other Commitments and Assurances No. 13). Please describe how the applicable parties carried out this previous similar commitment including:
  - a) The name, title and company affiliation of all persons involved in such review;
  - b) A complete description of the steps taken in such review process;
  - c) A description of the specific policies and practices reviewed;
  - d) A description of any resulting changes to such policies or practices or other outcomes;
  - e) Provide copies of any documents, data and other information generated in such review.
  - f) Were results of this review communicated to the Commission or any other parties? If so, please provide copies of such communications.
- 8) Regulatory Commitment No. 43 is similar to a commitment made previously in Case No. 2001-104, Order dated August 6, 2001, Appendix A (Other Commitments and Assurances No. 47). Please describe how the applicable parties carried out this previous similar commitment including:
  - a) The name, title and company affiliation of all persons involved in such review;
  - b) A complete description of the steps taken in such review process;
  - c) A description of the specific policies and practices reviewed;

- d) A description of any resulting changes to such policies or practices or other outcomes;
- e) Provide copies of any documents, data and other information generated in such review.
- f) Were results of this review communicated to the Commission or any other parties? If so, please provide copies of such communications.
- 9) Do the Joint Applicants plan to continue the Customer Commitment Advisory Forum?

Respectfully submitted,

Lisa Kilkelly

Eileen Ordover

LEGAL AID SOCIETY, INC.

416 West Muhammad Ali Blvd. Suite 300

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(502) 584-1254

Attorneys for ACM

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Tendered First Request for Information of Association of Community Ministries to PPL Corporation E.ON AG, E.ON US Investments Corp., E.ON U.S. LLC, Louisville Gas and Electric Co. and Kentucky Utilities Co. was served on the following parties on the \_aarday of June, 2010, by United States mail, postage prepaid:

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