

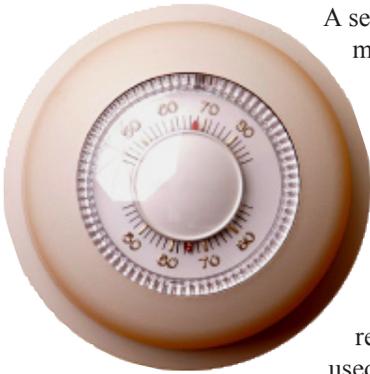


KENTUCKY

# General News

December 2009

## General Conway Announces \$4.49 Million in Rate Savings for Duke Energy Customers



A settlement reached between the Office of the Attorney General and Duke Energy Kentucky, Inc. will mean a much smaller rate increase for Duke customers. The agreement limits Duke to a general increase of \$13 million, a decrease of \$4.49 million from the original request of \$17.49 million. As a result, Duke's customers will experience a much smaller increase in their monthly natural gas bills.

"During these tough economic times, every dollar saved can make a difference for a Kentucky family trying to make ends meet. I appreciate the hard work of my Office of Rate Intervention in this matter," said General Conway.

As part of the agreement, Duke also agreed to withdraw a request for a rate mechanism that would have resulted in a dramatic increase in monthly customer charges, regardless of the amount of natural gas customers used.

Since January 2008, General Conway's Office of Rate Intervention has saved ratepayers more than \$97 million in proposed utility rate increases. The Duke agreement will push that figure above the \$100 million mark.

More information — <http://tinyurl.com/ybvqhs>

## Kentucky Businesses Warned Against Storm Related Price-Gouging



After a winter storm that left tens of thousands without power or running water in Central and Eastern Kentucky, Attorney General Conway requested that Gov. Steve Beshear sign an executive order to implement Kentucky's price-gouging laws.

"I appreciate the governor's quick attention to this matter. We both want to ensure that Kentuckians who were affected by this winter storm are not victimized a second time," said General Conway.

The governor's emergency declaration, effective as of Dec. 18 when the storm hit, triggered several consumer protection measures that will remain in place for 30 days. The action by Gov. Beshear and General Conway puts Kentucky businesses on notice that price-gouging will not be tolerated during times of emergency. It also empowers the Attorney General to investigate and prosecute, where appropriate, those who sell gasoline, generators, building supplies, chain saws, hotel rooms and other necessary goods and services at an exorbitant price in a time of disaster.

General Conway encourages anyone with specific information regarding possible price-gouging to contact the Office of the Attorney General at 888-432-9257 or email [pricecomplaints@ag.ky.gov](mailto:pricecomplaints@ag.ky.gov).

More information — <http://tinyurl.com/yc3qp7w>



Kentucky Attorney General  
Jack Conway

### A Helping Hand



In lieu of an office gift exchange, Attorney General Conway and members of his staff donated hats and gloves to be given to homeless women and children staying at the Simon House, a Frankfort shelter. Staffers decorated a tree placed in the front office with their donations.

## **General Conway Files Petition for Review With U.S. Supreme Court in KY Sex Offender Residency Ruling**

On Wednesday, Dec. 23, 2009, Attorney General Conway filed a Petition for Certiorari in the United States Supreme Court asking that the Court review the recent sex offender residency ruling by the Kentucky Supreme Court.

The state Supreme Court ruled in October 2009 that the residency restrictions for sex offenders, passed by the Kentucky General Assembly in 2006, were unconstitutional when applied to offenders who committed their crimes before the new statute took effect. The 2006 statute made it illegal for a registered sex offender to live within 1,000 feet of a high school, middle school, elementary school, preschool, publicly owned playground or licensed daycare.

“Allowing convicted sex offenders to live near schools or daycares is a serious public safety concern,” said General Conway. “As a father and as Kentucky’s Attorney General, I will do everything I can to ensure the safety of children and families across the Commonwealth.”

More information — <http://tinyurl.com/ya9sls9>

## **Child Rapist Gets Jury-Recommended Maximum Sentence**

A Marshall County grand jury has recommended the maximum sentence of life in prison without the possibility of parole for 25 years for a convicted child rapist and persistent felony offender.

Mark Rapone, 51, was convicted on multiple charges, including rape first degree, for having sexual intercourse in 2008 with a four-year-old Marshall County girl. An investigator from Attorney General Conway’s Office of Special Prosecutions also presented testimony detailing Rapone’s extensive criminal history and prior felony convictions spanning more than 25 years in two states.



“This case demonstrates my office’s firm and continued commitment to protect Kentucky children and punish those who prey on them,” said General Conway.

General Conway’s Office of Special Prosecutions handled the trial of this case at the request of Commonwealth’s Attorney Mark Blankenship and Marshall County Sheriff Kevin Byars. Sentencing is set for February 15, 2010 at 10:00 a.m. in Marshall Circuit Court.

## **Knott County Man Sentenced to 13 Years for Receipt of Child Pornography**

Attorney General Conway and United States Attorney for the Eastern District of Kentucky, James Zerhusen, jointly announced the sentencing of 27-year-old Joshua Slone on December 7 for receiving child pornography. The Knott County man was sentenced to 13 years in prison. He pled guilty to receiving and possessing child pornography on August 26, 2009 in U.S. District Court in Pikeville. This was one of the first child pornography cases handled by the Office of the Attorney General’s Cybercrimes Unit created by General Conway in June 2008.

“To date, my Cybercrimes investigators have seized more than 37,000 child pornographic images and videos and launched more than 100 child porn investigations. They have made Kentucky a national model for Internet safety and a safer place for Kentucky kids,” said General Conway.

The U.S. Attorney’s Office handled the prosecution of the case.

## **Corbin Dentist Indicted in Scheme to Defraud Kentucky Medicaid Program**

A Corbin, KY dentist has been indicted on seven counts of engaging in a scheme to defraud the Kentucky Medicaid Program. A Whitley County grand jury indicted Ronald Hungerbuhler on seven counts of devising or engaging in a scheme to defraud the Kentucky Medical Assistance Program valued at \$300 or more. The charge is a class D felony that carries a sentence of one to five years in prison and a fine of \$1,000 to \$10,000 for each count.

Hungerbuhler is accused of billing for services he did not render by submitting fictitious and fraudulent claims valued at \$300 or more. The indictment further alleges that he received a list of Medicaid recipients residing at Christian Health Care Nursing Home in Corbin and billed for oral exams on each individual without performing the exams.

Arraignment is set for January 4, 2010 at 1 p.m. in Whitley Circuit Court, Div. one. A charge is merely an accusation and a defendant is presumed innocent until and unless proven guilty.