



**Steven L. Beshear**  
Governor

**Leonard K. Peters**  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

**David L. Armstrong**  
Chairman

**James W. Gardner**  
Vice Chairman

**Linda Breathitt**  
Commissioner

August 13, 2012

Joni Hazelrigg  
Fleming-Mason Energy Cooperative, Inc.  
1449 Elizaville Road  
P. O. Box 328  
Flemingsburg, KY 41041

Marvin W Suit, Attorney At Law  
Suit, McCartney & Price, PLLC  
207 Court Square  
Flemingsburg, KY 41041

RE: Fleming-Mason Energy Cooperative, Inc.  
Case No. 2012-00361  
Filing Deficiencies

The Commission Staff has reviewed Fleming-Mason Energy Cooperative, Inc.'s application in the above case. This filing is rejected for the reasons set forth below.

Filing deficiencies pursuant to:

- (1) 807 KAR 5:001, Section 8(3) – If application is a corporation, a certified copy of the Articles of Incorporation and all amendments thereto or if the articles were filed with the PSC in a prior proceeding, a reference to the style and case number of the prior proceeding.

Fleming-Mason's application stated that its articles of incorporation and all amendments thereto were filed in Case No. 1990-00083, Adjustment of Rates of Fleming-Mason Rural Electric Cooperative Corporation. A review of the information contained on the website of the Kentucky Secretary of State indicates that Articles of Amendment to the Articles of Incorporation of Fleming-Mason Rural Electric Cooperative Corporation were approved on June 4, 1998 and filed with the Kentucky Secretary of State on June 17, 1998. Thus, the Articles of Incorporation filed in Case No. 1990-00083 are not complete and up-to-date.

As such, Fleming-Mason should file a certified copy of its Articles of Incorporation and all amendments thereto as required by 807 KAR 5:001 Section 8(3).

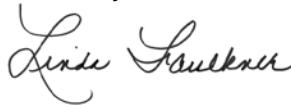
(2) 807 KAR 5:001, Section 9(2)(b) – Copies of franchise or permits, if any, from the proper public authority for the proposed new construction or extension, if not previously filed with the commission.

Fleming-Mason's application does not indicate whether any franchises or permits will be required for the proposed project.

The statutory time period in which the Commission must process this case will not commence until the above-mentioned information is filed with the Commission. If your filing contains a proposed effective date, the rejection of your filing for reasons of deficiencies voids that proposed effective date. When you file the required information to correct the deficiencies, you may re-file your proposed tariff with a new proposed effective date that is at least 30 days from the date you file the required information. You are requested to file 10 copies of this information within 15 days of date of this letter.

If you need further assistance, please contact my staff at 502-564-3940.

Sincerely,



Linda Faulkner  
Filings Division Director