

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In the Matter of:

PETITION AND COMPLAINT OF GRAYSON)
RURAL ELECTRIC COOPERATIVE)
CORPORATION FOR AN ORDER)
AUTHORIZING PURCHASE OF ELETRIC)
POWER AT THE RATE OF SIX CENTS PER)
KILOWATT HOUR UP TO 9.4 MEGAWATTS)
OF POWER VS. A RATE IN EXCESS OF SEVEN)
CENTS PER KILOWATT HOUR PURCHASED)
FROM EAST KENTUCKY POWER COOPERATIVE)
UNDER A WHOLESALE POWER CONTRACT AS)
AMENDED BETWEEN GRAYSON RURAL)
ELECTRIC COOPERATIVE CORPORATION AND)
EAST KENTUCKY POWER COOPERATIVE,)
INC.)

CASE NO.
2012-00503

MOTION

Comes now the complainant, Grayson Rural Electric Cooperative Corporation, and moves the Commission for the allowance of the complaint herein to be amended so as to provide for the following:

- a) Substituting Duke Energy Commercial Asset Management, Inc. in all respects in place of Magnum Drilling of Ohio, Inc.;
- b) The rates set forth in the petition to be amended to \$41.03/MWh;
- c) In all other respects maintaining the original complaint as previously set forth in all allegations and in all respects including all notices referred to therein.

In support of this request, the complainant states that as it served a Notice of Amendment on September 9, 2013, believing that notice of same was sufficient, one of the parties hereto, East Kentucky Power Cooperative, has filed an objection to the Notice of Amendment believing that Commission approval is necessary.

In order to perfect the record and to meet the concerns of East Kentucky Power Cooperative, Grayson Rural Electric asks for this amendment and that same be granted in such a way as to have all amendments relate back to the date of filing of the original complaint.

By analogy, Civil Rule 15 would, in a civil action, provide for the relation back of such an amendment and in the instant proceeding, this being an administrative proceeding, there would be no reason for the Relation Back Doctrine to not be applicable.

WHEREFORE, Grayson Rural Electric Cooperative Corporation requests the appropriate order.

Respectfully submitted,

W. JEFFREY SCOTT, PSC

BY: 

W. JEFFREY SCOTT
P.O. BOX 608
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This is to certify that the foregoing document has been served upon the parties by mailing a true and correct copy of same to:

Hon. James M. Crawford
Counsel for Fleming-Mason & Owen Rural Electric
P.O. Box 353
Carrollton, KY 401008

Hon. Mark David Goss
Hon. David S. Samford
GOSS SAMFORD, PLLC
2365 Harrodsburg Road, Suite B 325
Lexington, KY 40504

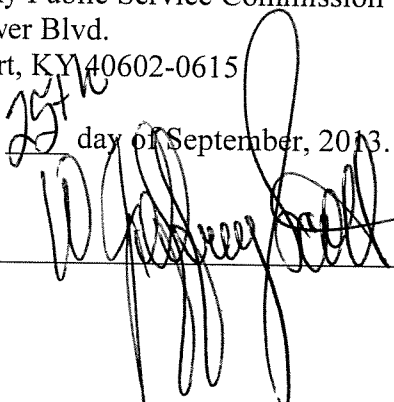
Hon. Clayton O. Oswald
Taylor, Keller & Oswald
P.O. Box 3440
1306 West 5th Street, Suite 100
London, KY 40743-00344

Hon. Don Prather
Mathis Riggs & Prather, PSC
500 Main Street, Suite 5
Shelbyville, KY 40065

This is to further certify that the original of this document has been forwarded to the Kentucky Service Commission as follows:

Kentucky Public Service Commission
211 Sower Blvd.
Frankfort, KY 40602-0615

This the 25th day of September, 2013.



A handwritten signature in black ink is written over a horizontal line. The signature is cursive and appears to be "Don Prather".