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April 29, 2015

Mr. Jeff Derouen
Executive Director
Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602

RECEIVED
APR 30 2015
PUBLIC SERVICE
COMMISSION

Re: Shelby Energy Cooperative PSC Case No. 2012-00503

Dear Mr. Derouen:

Please find enclosed for filing with the Commission in the above-referenced case an original and ten copies of Shelby Energy Cooperative, Inc.'s Motion to Dismiss Amended Petition.

Thank you for your attention to this matter.

Very truly yours,

MATHIS, RIGGS, PRATHER & RATLIFF, P.S.C.

By: Donald T. Prather
Donald T. Prather

By: Paula McElwain

DTP/pm
Enclosures

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

APR 30 2015

PUBLIC SERVICE
COMMISSION

In the Matter of:

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

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CASE NO. 2012-00503

MOTION TO DISMISS AMENDED PETITION

Comes Shelby Energy Cooperative, Inc. (“Shelby Energy”), by counsel, and moves the Public Service Commission (“PSC”) to dismiss the Amended Petition filed by Grayson Rural Electric Cooperative Corporation (“Grayson”) in this action on January 8, 2015. As grounds for this motion, Shelby Energy states as follows:

1. Grayson failed to file a motion and obtain PSC approval as required by 807 KAR 5:001 Section 4(5). This is especially important in this case because Grayson is attempting to make the Amended Petition retroactive and, as pointed out by East Kentucky Power Cooperative, Inc. (“EKPC”), a retroactive amendment is entirely within the discretion of the PSC and would be inappropriate in this case; and

2. Grayson failed to serve a copy of the Amended Petition on the undersigned as required by 807 KAR 5:001 Section 6. The Certificate of Service on the Amended Petition only states a copy was sent to the attorneys for EKPC; it does not reflect copies being sent to any of the other parties in this action, and in fact, the undersigned never received a copy of the Amended Petition from Grayson.

WHEREFORE, Shelby Energy Cooperative, Inc. respectfully requests that the PSC dismiss the Amended Petition.

Dated at Shelbyville, Kentucky this 29 day of April, 2015.

Respectfully submitted,



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Attorney for Shelby Energy Cooperative, Inc.

CERTIFICATE OF SERVICE

I, Donald T. Prather, certify that on this 29 day of April, 2015 copies of the foregoing were mailed to:

W. Jeff Scott, Esq.
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Attorney for Jackson Energy Cooperative Corporation



Donald T. Prather