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June 15, 2010

Albert P. Marks, Esquire
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Clarksville, TN 37041-1149

PSC STAFF OPINION 2010-0010

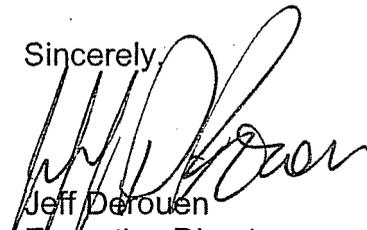
Re: Cumberland Electric Membership Corporation

Dear Mr. Marks:

Commission Staff acknowledges receipt of your letter of June 7, 2010, in which you request an opinion regarding the jurisdiction of the Kentucky Public Service Commission to regulate Cumberland Electric Membership Corporation ("CEMC") in connection with CEMC obtaining a Rural Utility Service loan. According to the letter, you advised that CEMC is an electric cooperative whose exclusive source of electricity is the Tennessee Valley Authority. The Kentucky Public Service Commission does not regulate the rates or services provided by TVA distribution cooperatives and, thus, CEMC does not need to obtain a Certificate of Public Convenience and Necessity from the Kentucky Public Service Commission in connection with its construction of any new facilities.

This letter represents the legal opinion of the Commission Staff. The opinion is advisory in nature and is not binding on the Commission should this issue come before it in a formal proceeding. If you have any further questions, please contact Quang D. Nguyen at 502/564-3940, Extension 256.

Sincerely,



Jeff Derouen
Executive Director

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