



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

Charles R. Borders
Commissioner

November 8, 2013

Albert P. Marks, Esquire
Marks, Shell & Maness
P. O. Box 1149
Clarksville, TN 37041-1149

PSC STAFF OPINION 2013-0016

Re: Cumberland Electric Membership Corporation
Clarksville, Tennessee

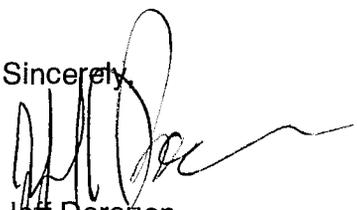
Dear Mr. Marks:

Commission Staff acknowledges receipt of your letter of October 1, 2013, 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. This opinion represents Commission Staff's interpretation of the law as applied to the facts presented, is advisory in nature, and is not binding on the Commission should the issues herein be formally presented for Commission resolution.

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 the existing customers it serves in Kentucky.

Questions concerning this opinion should be directed to Quang D. Nguyen at 502-782-2586.

Sincerely,



Jeff Dereuen
Executive Director

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