

McBRAYER, McGINNIS, LESLIE & KIRKLAND, PLLC  
ATTORNEYS-AT-LAW

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May 17, 2005

RECEIVED

MAY 18 2005

Beth A. O'Donnell  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40601

PUBLIC SERVICE  
COMMISSION

**RE: In the Matter of:**  
**Application of East Kentucky Power Cooperative, Inc. for a Certificate of Public Convenience and Necessity and a Site Compatibility Certificate, for the Construction of a 278 MW (Nominal) Circulating Fluidized Bed Coal Fired Unit and Five 90 MW (Nominal) Combustion Turbines in Clark County, Kentucky**  
**Case No. 2005-00053**

Dear Sir or Madam:

Enclosed for filing in the above-referenced matter is an original and eleven (11) copies of Siemens-Westinghouse Power Corporation's Reply in Support of Petition to Intervene. Please return to me one copy bearing the Commission's stamp in the enclosed self-addressed stamped envelope.

Thank you for your attention to this matter. Please call if you have any questions.

Sincerely,



Diane M. Pritchard  
Litigation Assistant

:dmp  
Enclosure

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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAY 18 2005

In the Matter of:

PUBLIC SERVICE  
COMMISSION

APPLICATION OF EAST KENTUCKY POWER )  
COOPERATIVE, INC. FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY ) Case No. 2005-00053  
AND A SITE COMPATIBILITY CERTIFICATE, FOR )  
THE CONSTRUCTION OF A 278 MW (NOMINAL) )  
CIRCULATING FLUIDIZED BED COAL FIRED UNIT )  
AND FIVE 90 MW (NOMINAL) COMBUSTION )  
TURBINES IN CLARK COUNTY, KENTUCKY )

**REPLY IN SUPPORT OF PETITION TO INTERVENE OF  
SIEMENS-WESTINGHOUSE POWER CORPORATION**

Siemens-Westinghouse Power Corporation (hereinafter "Siemens-Westinghouse") hereby makes its Reply to the Objections of East Kentucky Power Cooperative, Inc. ("EKPC") to its Petition to Intervene in the above-captioned case, as follows:

1. Siemens-Westinghouse only recently became aware of the May 4, 2005 filing of EKPC's Objections, as it appears that EKPC did not serve a copy of the Objections upon counsel for Siemens-Westinghouse.

2. In its Objections, EKPC has chosen to attack the motives of Siemens-Westinghouse, but has not disputed any of the allegations contained in the Affidavit of Gregory J. Snyder, attached as an exhibit to the Petition to Intervene. Those allegations tend to show that significant information provided to the Public Service Commission by EKPC was inaccurate.

3. Siemens-Westinghouse submits that it is always in the public interest for the Public Service Commission to have accurate information upon which to base its decisions. The participation of Siemens-Westinghouse as a full

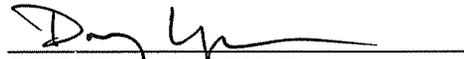
intervenor herein will assist the Public Service Commission in reaching its decision based on accurate facts, and will not unduly interrupt the proceeding.

WHEREFORE, Siemens-Westinghouse respectfully requests the Commission to grant its Petition to Intervene and to allow it to participate with full intervenor status in this proceeding.

Dated this 17<sup>th</sup> day of May, 2005.

Respectfully submitted,

MCBRAYER, McGINNIS, LESLIE  
& KIRKLAND, PLLC  
201 E. Main Street, Suite 1000  
Lexington, KY 40507  
(859) 231-8780



BRENT L. CALDWELL  
DOUGLAS T. LOGSDON  
ATTORNEY FOR PETITIONER,  
SIEMENS-WESTINGHOUSE  
POWER CORPORATION

### **CERTIFICATE OF SERVICE**

It is hereby certified that an original and ten (10) copies of the Petition to Intervene on behalf of Siemens-Westinghouse, in the aforementioned case were hand-delivered upon the following:

Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40601

and that one (1) copy of the Petition was served via U.S. mail, postage pre-paid, upon the following:

Charles Lile  
East Kentucky Power Cooperative, Inc.  
4775 Lexington Road  
P.O. Box 707  
Winchester, KY 40392-0707

Roy M. Palk  
East Kentucky Power Cooperative, Inc.  
4775 Lexington Road  
P.O. Box 707  
Winchester, KY 40392-0707

Elizabeth E. Blackford, Esq.  
Assistant Attorney General  
Office of Rate Intervention  
1024 Capital Center Drive  
Frankfort, KY 40601

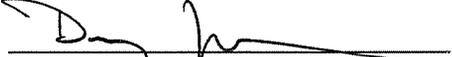
Michael L. Kurtz  
Boehm, Kurtz & Lowry  
36 East 7<sup>th</sup> Street, Suite 1510  
Cincinnati, OH 45202

Frederic J. Cowan  
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Louisville, KY 40202

Stephen M. Soble  
O'Connor & Hannan, LLP  
1666 K Street N.W., Suite 500  
Washington, D.C. 20008-2803

Richard G. Raff  
Public Service Commission of Kentucky  
211 Sower Boulevard  
Frankfort, KY 40601

this 17<sup>th</sup> day of May, 2005.

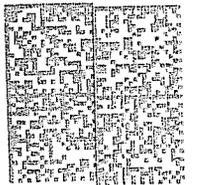
  
DOUGLAS T. LOGSDON

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PUBLIC SERVICE  
COMMISSION



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