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**RECEIVED**

MAR 04 2008

PUBLIC SERVICE  
COMMISSION

**VIA OVERNIGHT MAIL**

March 3, 2008

Beth A. O'Donnell, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602

**Re: Case No. 2008-00009**

Dear Ms. O'Donnell:

Please find enclosed the original and twelve (12) copies of the PETITION TO INTERVENE OF THE KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC., filed in the above-referenced matter.

By copy of this letter, all parties listed on the attached Certificate of Service been served. Please place these documents of file.

Very Truly Yours,



Michael L. Kurtz, Esq.  
**BOEHM, KURTZ & LOWRY**

MLKkew  
Attachment  
cc: Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by regular U.S. mail (unless otherwise noted) to all parties on the 3<sup>rd</sup> day of March, 2008.

Honorable Frank N King, Jr.  
Attorney at Law  
**DORSEY, KING, GRAY, NORMENT & HOPGOOD**  
318 Second Street  
Henderson, KY 42420

Sanford Novick  
President and CEO  
**KENERGY CORP.**  
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P. O. Box 1389  
Owensboro, KY 42302

David C. Brown, Esq.  
**STITES & HARBISON**  
1800 Providian Center  
400 West Market Street  
Louisville, KY 40202



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Michael L. Kurtz, Esq.

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In The Matter Of: The Application Of Kenergy Corp. For Approval Of Retail Tariff Riders And Revised Tariffs; Approval Of Smelter Agreements; And Approval Of Amendment To Wholesale Agreement	:	Case No. 2008-00009
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**PETITION TO INTERVENE OF  
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.**

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Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Kentucky Industrial Utility Customers, Inc. (“KIUC”) requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

1. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before this Commission and before all other appropriate governmental bodies. The members of KIUC who purchase electricity from Big Rivers Electric Corporation through Kenergy who will participate herein are: Alcan Primary Products Corporation, Century Aluminum of Kentucky General Partnership, Aleris International, Inc., Domtar Paper Co., LLC and Kimberly Clark Corporation. KIUC will supplement its Petition with the names of additional participating members as this information becomes known.
2. All five of the KIUC member companies listed above are direct serve industrial customers who receive power at transmission voltage. The usage and load profile of each is different. However, all KIUC member companies have a similar interest in ensuring that the flow through of rates resulting from the proposed unwind are just and reasonable.
3. The matters being decided by the Commission in this case may have a significant impact on the rates paid by KIUC members for electricity. Electricity represents a significant cost of doing business for KIUC

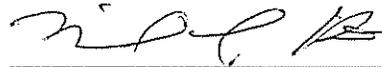
members. The attorneys for KIUC authorized to represent them in this proceeding and to take service of all documents are:

Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.  
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4. The position of KIUC cannot be adequately represented by any existing party. KIUC intends to play a constructive role in the Commission's decision making process herein and KIUC's participation will not unduly prejudice any party.

**WHEREFORE**, KIUC requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,



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Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.  
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**COUNSEL FOR KENTUCKY INDUSTRIAL  
UTILITY CUSTOMERS, INC.**

March 3, 2008