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COMMONWEALTH OF KENTUCKY

MAY 1 0 2013

BEFORE THE PUBLIC SERVICE COMMISSION

PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

APPLICATION OF KENTUCKY POWER **COMPANY FOR (1) A CERTIFICATE OF** PUBLIC CONVENIENCE AND **NECESSITY AUTHORIZING THE** TRANSFER TO THE COMPANY OF AN UNDIVIDED FIFTY PERCENT INTEREST IN THE MITCHELL **GENERATING STATION AND** ASSOCIATED ASSETS; (2) APPROVAL OF THE ASSUMPTION BY KENTUCKY **POWER COMPANY OF CERTAIN** LIABILITIES IN CONNECTION WITH THE TRANSFER OF THE MITCHELL **GENERATING STATION; (3) DECLARATORY RULINGS**; (4) **DEFERRAL OF COSTS INCURRED IN CONNECTION WITH THE COMPANY'S** EFFORTS TO MEET FEDERAL CLEAN AIR ACT AND RELATED REQUIREMENTS; AND (5) ALL OTHER REOUIRED APPROVALS AND RELIEF

Case No. 2012-00578

Motion For Leave To Appear Pro Hac Vice

Mark R. Overstreet, a resident member of the Bar of the Commonwealth of Kentucky in active practice, moves the Public Service Commission of Kentucky for an order permitting Hector Garcia to appear *pro hac vice* in this matter in association with movant, R. Benjamin Crittenden, and Kenneth J. Gish, Jr. as counsel for Kentucky Power Company.

Mr. Garcia is duly licensed and in good standing to practice law in the following jurisdictions: District of Columbia, Virginia, Ohio (Corporate only) and Venezuela. He regularly practices law for American Electric Power Service Corporation, 1 Riverside Plaza,

Legal Department, 29th Floor, Columbus, Ohio 43215-2373. His telephone number is (614) 716-3410.

Tendered with motion is the Kentucky Bar Association Out-of-State Certifications issued pursuant to SCR 3.030 for Mr. Garcia.

WHEREFORE, movant respectfully requests that this Commission enter an Order granting Mr. Garcia leave to appear *pro hac vice* in this case on behalf of Kentucky Power

Company.

Respectfully/submitted,

Mark R. Overstreet R. Benjamin Crittenden STITES & HARBISON PLLC

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Telephone: (859) 226-2300

COUNSEL FOR KENTUCKY POWER COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by first class mail, postage prepaid, upon the following parties of record, this 10th day of May, 2013.

Michael L. Kurtz Jody Kyler Cohn Boehm, Kurtz & Lowry Suite 1510 36 East Seventh Street Cincinnati, OH 45202

Jennifer Black Hans Dennis G. Howard II Lawrence W. Cook Assistant Attorney General Office for Rate Intervention P.O. Box 2000 Frankfort, KY 40602-2000 Joe F. Childers Joe F. Childers & Associates 300 The Lexington Building 201 West Short Street Lexington, KY 40507

Robb Kapla Sierra Club 85 Second Street San Francisco, CA 94105

Shannon Fisk Earthjustice 1617 JFK Boulevard, Suite 1675 Philadelphia, PA 19103

Mark R. Overstreet

KENTUCKY BAR ASSOCIATION

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CASE NO. 2012-00578

KENTUCKY BAR ASSOCIATION OUT-OF-STATE CERTIFICATION FORM

COURT Kentucky Public Service Commission

SCR 3.030 Membership, practice by nonmembers and classes of membership

(2) A person admitted to practice in another state, but not in this state, shall be permitted to practice a case in this state only if that attorney subjects himself or herself to the jurisdiction and rules of the court governing professional conduct, pays a per case fee of \$270.00 to the Kentucky Bar Association and engages a member of the association as co-counsel, whose presence shall be necessary at all trials and at other times when required by the court. No motion for permission to practice in any state court in this jurisdiction shall be granted without submission to the admitting court of a certification from the Kentucky Bar Association of receipt of this fee.

The Kentucky Bar Association certifies that <u>Hector Garcia</u> has paid the per case fee of \$270.00 in the above referenced case as required in SCR 3.030(2).

Michele M. Pogrotsky, Deputy Registrar