# Mason County Fiscal Court

JAMES L. "BUDDY" GALLENSTEIN
JUDGE/EXECUTIVE

AMY B. GILLESPIE
DEPUTY JUDGE/EXECUTIVE

COMMISSIONERS:

PATRICK MCKAY IV
F.J. "BEAR" FINN
JACK L. WEST

JOHN F. ESTILL
COUNTY ATTORNEY

RECEIVED
SEP 2 2003
CHAIRMAN
P.S.C.

August 29, 2003

Hon. Paul Patton,
Governor
Commonwealth of Kentucky
700 Capitol Avenue
Frankfort, Kentucky 40601

B.J. Helton
Chairman
Public Services Commission
730 Schenkel Lane, P.O. Box 615
Frankfort, Kentucky 40601

Re: Proposed transmission line of East Kentucky Power

Dear Governor Patton and Chairman Helton:

As both of you are aware, East Kentucky Power Cooperative has proposed construction of a 138 kB transmission line from its Spurlock Generating Station on Kentucky 8 west of Maysville, Kentucky and proceeding through Mason and Fleming Counties to Flemingsburg, Kentucky. The Mason Fiscal Court has received a petition from Mason County citizens and land owners who are concerned regarding the impact of the proposed transmission line on their properties and homes, and is hereby requesting that both of you intervene in this matter and conduct hearings to determine if there are less objectionable routes or means of improving East Kentucky Power Cooperative's distribution system.

I enclose herewith Resolution Number 03-14 of the Mason Fiscal Court, whereby we have requested that the Public Service Commission intervene in this matter and consider the objection of the Citizens of Mason County, Kentucky. The Mason

219 STANLEY REED COURT STREET ● MAYSVILLE, KENTUCKY 41056 ● 606-564-6706
FAX: 606-564-7315 ● EMAIL: MASON_COUNTY @ MAY-UKY.CAMPUS.MCI.NET
WEBSITE: HTTP://WWW.MASONCOUNTY-KY.COM

Fiscal Court held a hearing on August 14, 2003 in this matter, and although it is beyond our jurisdiction, our citizens of Mason County have asked that we urge your assistance in this matter.

Your attention to this matter is appreciated.

Sincerely,

James L. Gallenstein

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COMMONWEALTH OF KENTUCKY
MASON FISCAL COURT
RESOLUTION NO. 03-14

WHEREAS, the Fiscal Court of Mason County, Kentucky, has been made aware that East Kentucky Power Cooperative has planned and is apparently undertaking construction of a new transmission line commencing at its Spurlock Station on Ky 8, west of Maysville, Kentucky, and extending south throughout Mason County into Fleming County; and

WHEREAS, the Mason Fiscal Court is concerned that such project will detract from the natural beauty of Mason County, and create a hardship to the agricultural activities within the right of way; and

WHEREAS, the Mason Fiscal Court believes that the necessity of such transmission lines should be studied, and other designs considered which would less significantly affect property owners and the environment.

NOW THEREFORE, BE IT RESOLVED by the Fiscal Court of Mason County, Kentucky, that this matter should be submitted to the Commonwealth of Kentucky, Public Service Commission, for determination of the necessity of such transmission line, and further that applicable federal and state agencies should study such transmission line, and consider alternative routes and design which would less impact the environment and the citizens of Mason County, Kentucky.

RESOLVED this 8 day of July, 2003.

James L. Gallenstein
Hon. James L. Gallenstein
Judge/Executive

ATTEST:

Martha S. Dierig
Clerk, Mason Fiscal Court

COMMONWEALTH OF KENTUCKY
FLEMING COUNTY FISCAL COURT
RESOLUTION NO. 03-004

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DIVISION OF ENGIN

WHEREAS, the Fiscal Court of Fleming County, Kentucky, has been made aware that East Kentucky Power Cooperative has planned and is apparently undertaking construction of a new transmission line commencing at its Spurlock Station on Ky 8, West of Maysville, Kentucky, and extending South throughout Mason County into Fleming County; and

WHEREAS, the Fleming County Fiscal Court is concerned that such project will detract from the natural beauty of Fleming County, and create a hardship to the agricultural activities within the right of way; and

WHEREAS, the Fleming County Fiscal Court believes that the necessity of such transmission lines should be studied, and other designs considered which would less significantly affect property owners and the environment.

NOW THEREFORE, BE IT RESOLVED by the Fiscal Court of Fleming County, Kentucky, that this matter should be submitted to the Commonwealth of Kentucky, Public Service Commission, for determination of the necessity of such transmission line, and further that applicable federal and state agencies should study such transmission line, and consider alternative routes and design which would less impact the environment and the citizens of Fleming County, Kentucky.

RESOLVED this 19 day of August, 2003.

Larry H. Foxworthy
Hon. Larry H. Foxworthy
Judge/Executive

ATTEST:

Shannon L. McCoy
Clerk, Fleming Co. Fiscal Court

5080 Kentucky 2514
Maysville, Kentucky 41056
June 9, 2003

Mr. Thomas M. Dorman, Executive Director
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602

RECEIVED
JUN 11 2003
PUBLIC SERVICE COMMISSION

Dear Mr. Dorman:

At this point I am coming to you to file a complaint with regard to the proposed transmission line from Spurlock Station to Flemingsburg.

This proposed line goes through my farm here in Mason County which has been in the family more than 150 years. My family has endeavored to take care of the land and to preserve it for future generations even having received Conservation Awards.

The proposed line is about eighteen miles in length and the expense for right-of-way, etc. will be great. I propose that the right of way being used for the existing transmission line from Spurlock Station to the Power Station near Wedonia be used. If this right of way were cleared of trees and the growth on it removed, it could be used. If so, only six miles of right-of-way would be required for the portion of the line from Wedonia to the end of the line in Fleming County. Possibly there are other alternative routes — we don't need more lines in this area.

In any event I am coming to you hoping that you will help us keep this transmission line from our property. This is farm land on which there is an 1804 house which is to be restored, stock barns, tobacco barns and a Grade-A dairy.

Any help you can give us will be greatly appreciated.

Very truly yours,
(Miss) E. Ruellen Pyles

**AFFECTED LAND OWNERS**
**MASON & FLEMING COUNTIES**
**P.O. Box 100**
**Maysville, Kentucky 41056**

**RECEIVED**

JUN 2 4 2003

PUBLIC SERVICE COMMISSION

June 18, 2003

Mr. Tom Dorman
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, Kentucky 40602

RE: **Complaint by Landowners in Mason and Fleming Counties concerning proposed 138kv Transmission Line proposed by East Kentucky Power Cooperative**

Dear Mr. Dorman

This letter is an official Complaint to the Kentucky Public Service Commission ("**PSC**") on behalf of landowners in Mason and Fleming Counties affected by the new 138kv electric transmission line (the "**Project**") proposed to be built by East Kentucky Power Cooperative ("**EKPC**"). Attached is a copy of EKPC's May 30 letter mailed to all affected landowners within the Project corridor, stating that this new transmission line is needed to provide reliable electrical service to area customers, and to serve as a backup source of power for the Flemingsburg Distribution Substation.

This new transmission line starts at EKPC's Spurlock Station on the Ohio River west of Maysville, extending south the entire length of Mason County, into Fleming County, and ending on the west side of Flemingsburg. At its May 22 open house meeting at May's Lick, EKPC stated the Project cost is $7,500,000, with a total transmission line length of eighteen miles.

EKPC maintains that it is not necessary for the PSC to approve this Project since it is a "need based project". What happens when EKPC decides to build another so-called "need based project" or more new transmission lines, and in succeeding years builds still more new transmission lines? Before we realize it, we will be living under a kudzu-like web of electric transmission lines everywhere. In Mason County alone, there are at least sixty-six miles of transmission lines currently existing, with the rights-of-way covering 2,137 acres of land. A map of electric transmission lines in Mason and Fleming Counties showing these lines is attached to this Complaint.

We conclude our "Complaint" with the plea that the PSC exercise jurisdiction over this Project and direct EKPC to undertake one of the following alternatives:

(1) To rebuild and upgrade its existing transmission lines whenever possible instead of erecting new transmission lines, using innovative methods and modern technology to avoid redundancy and continuous taking of right-of-way.

(2) To build a new substation just north of Lewisburg, on EKPC's existing 138kv transmission line running east and west in Mason County, and extend a 138kv line from Lewisburg on large single steel poles along Highway 11 to Flemingsburg and around the Flemingsburg by-pass to EKPC's existing substation at the terminus of its proposed line. This path would be less costly, more accessible for construction and maintenance, and involve significantly less right-of-way acquisition. Transmission lines along Paris Pike in Bourbon and Fayette Counties is proof this can be done with less impact on farmland and the environment.

(3) To share electric power transmission lines and/or structures and/or right-of-way if and when needed with Kentucky Utilities Co. ("**KU**") which also provides electric service to Flemingsburg and Fleming County. KU has an existing 138kv line to a substation on Highway 11 at Wedonia; from this substation KU has an existing 25kv line into Flemingsburg. EKPC and KU could cooperate to build on single large steel poles a 138kv line on the top of the poles, and in the middle of the same poles provide local electric service to customers they presently serve along this same line extending to Flemingsburg. Together, they could build only **six** miles of new transmission line from the Wedonia substation, along Highway 11 to Flemingsburg, around the bypass to the Flemingsburg substation using the same path as alternative (2) above. Sharing utility assets is the most simple, practical, and economic solution to provide efficient electrical service with the least harm to property owners. Such new line from Wedonia to Flemingsburg would provide back-up power from both EKPC and KU.

On the attached map, marked in "red" is the path of the proposed EKPC 138kv transmission line; alternatives (2) and (3) above are marked in "yellow". Building the 138kv transmission line along Highway 11 is almost as straight as the path EKPC has chosen for its proposed line, and building along the highway would be much more accessible to erect and maintain the poles and lines, than through farm terrain. There are fewer homes along Highway 11 than on EKPC's proposed path in Mason and Fleming Counties.

Identical Complaints will be filed with the Federal Energy Regulatory Commission and the USDA Rural Utilities Services in Washington, D.C.

Please investigate and act on our Complaint. Our points are valid. EKPC's proposal is unreasonable, unjust, and arbitrary. Any one, or combination of the above alternatives, would avoid the construction of EKPC's proposed eighteen mile transmission line crossing seventy-seven

different farms in Mason and Fleming Counties and nearly duplicating existing transmission facilities and right-of-way of EKPC and KU in the area.

The same evaluation should be made of all new proposed transmission lines to stem their uncontrolled proliferation and assault on farmland and the environment throughout Kentucky. We desperately need PSC's assistance to control the indiscriminate building of electric transmission lines in our great Commonwealth, regardless if they are "need based" or not.

Respectfully submitted by the undersigned landowners affected by EKPC's proposed Project.

| NAME | ADDRESS | SIGNATURE |
|---|---|---|
| Mr. & Mrs. Davis Roberson | 6345 Helena Rd. Mayslick, Ky. 41056 | |
| E. Luellen Pyles | 5080 Ky. 2514, Maysville, Ky. 41056 | |
| Robert M & Jamie Clarke | 6493 Ky 419, Mayslick, Ky 41056 | |
| Richard & Virginia Butler | 4023 US 62 Maysville, Ky 41056 | Richard O Butler |
| Hattie Cartwell | 5038 Parry Lane Maysville Ky 41056 | |
| N E Huber | 2023 U.S 68 Maysville | N E. Huber |
| Darrell Crockett | 4017 Clark Run Maysville | [illegible] |
| [illegible] | 6319 Helena Rd | [illegible] |
| * [illegible] | 721 [illegible] Maysville | |
| D W Clarke | 309 Wadsworth Dr Maysville | D W Clarke |
| Kenneth Kilgore | 6497 Hwy 419 | Mayslick |
| William T. Comer | 6435 Ky. 419 | Mayslick, Ky. |
| Janell Wise | 4019 US 62 Maysville, Ky 41056 | Janell Wise |
| Mr & Mrs James Funck | 6224 Helena Rd Mayslick, Ky 41056 | |
| Mr. & Mrs. Michael Palmer | 6463 KY HWY 419 Mayslick KY 41055 | |
| Mr. & Mrs. Batey | 6214 Parker Ln. Mayslick 41055 | [illegible] Batey |

| | | |
|---|---|---|
| *Teddy Timmons | 6210 Parker Ln | Maysville 41055 |
| Ralph Roupe | 6250 Parker | Maysville, Ky 41055 |
| Connie Roupe | 6250 Parker LN | Maysville, Ky 41055 |
| Linda Ryd | 6064 Cliff Pike | Maysville Ky 41055 |
| Tammy Smith | 6076 Cliff Pike | Maysville, Ky 41055 |
| [illegible] | 6004 Cliff Pike | Maysville, Ky 41056 |
| Barbara K Bethard | 268 Wadsworth Pk. | Maysville Ky. 41056 |
| Fern McHugh | 1306 GOLF MANOR DR | MAYSVILLE, Ky 41056 |
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EAST KENTUCKY POWER COOPERATIVE

May 30, 2003

James A. and Barbara G. Finch
6224 Helena Rd.
Mays Lick, KY 41055

Dear Mr. And Mrs. Finch:

Subject: Spurlock-Flemingsburg 138kV Transmission Line

In the "OPEN HOUSE FORMAT" information sent to you, dated May 5th, 2003, an incorrect statement was made concerning the "Need for the Project:" The new transmission line is needed to provide reliability to area consumers. This project also provides a backup source of power for the Flemingsburg Distribution Substation, that serves more than 5,000 consumers in the Flemingsburg area.

The transmission grid in northeastern Kentucky is not able to reliably carry power to electric consumers in that part of the state. Load growth has occurred that is overtaxing the existing system and this new line must be built to strengthen the grid and provide reliable service. Other upgrades of existing transmission facilities will also be made as part of the solution.

Contrary to the information provided in the fact sheet, this project is not need because of the addition of the new Gilbert Unit at the Spurlock Generating Station in Maysville. Overload problems occur and must be solved even if the new generator were never built. The project is needed as soon as it can be built, and must be completed prior to the addition of the Gilbert Unit or the existing problems only worsen.

We apologize for the incorrect information and hope this resolves any question about the need for the project. If you do have additional questions about the need for the project or questions relative to the project, please telephone us at 859- 744-4812 and we will answer your questions or return your call as soon as possible.

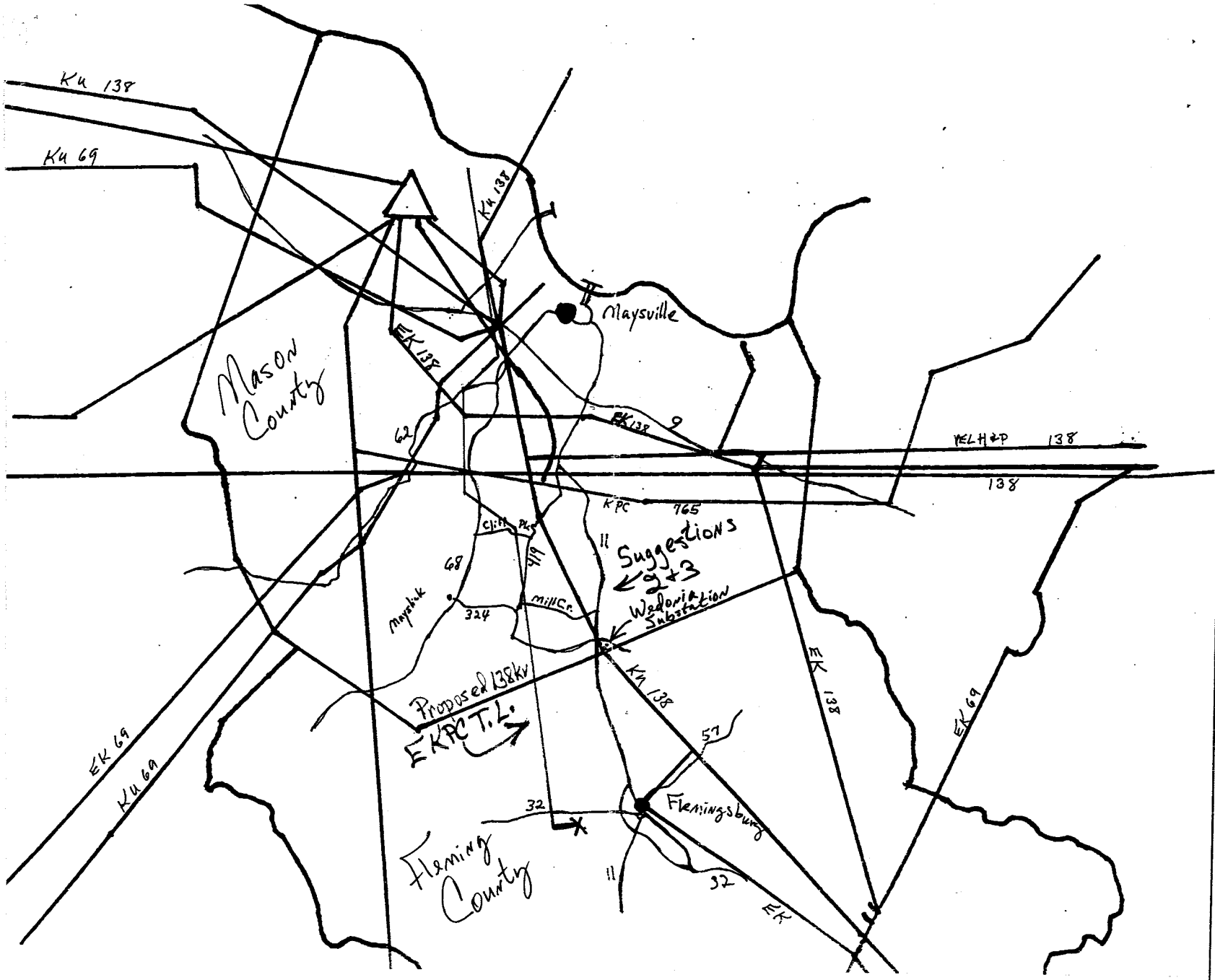
Sincerely

Bruce E. Murrey Jr.
Senior Right of Way Agent

4775 Lexington Road 40391
P.O. Box 707, Winchester,
Kentucky 40392-0707

Tel. (859) 744-4812
Fax: (859) 744-6008
http://www.ekpc.com

A Touchstone Energy Cooperative



Ku 138
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EK 138
Mason County
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EK 138
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YELH&P 138
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KPC 765
Cliff Pk
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Suggestions 2+3
Wedonia Substation
Mayslick
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Mill Cr.
Proposed 138kv
EKPC T.L.
Ku 138
EK 138
EK 69
EK 69
Ku 69
57
Flemingsburg
32
Fleming County
11
32
EK

J.B. Shannon
329 West Water Street
Flemingsburg, KY 41041

RECEIVED
JUN 30 2003
PSC Consumer Services

**AFFECTED LAND OWNERS**
**MASON & FLEMING COUNTIES**
**P.O. Box 100**
**Maysville, Kentucky 41056**

June 18, 2003

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Executive Director
Public Service Commission
P.O. Box 615
Frankfort, Kentucky 40602

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Respectfully submitted by the undersigned landowners affected by EKPC's proposed Project.

| NAME | ADDRESS | SIGNATURE |
|---|---|---|
| BARBARA H. WALTON | 1653 ELIZAVILLE Rd. | Barbara H. Walton |
| William T. WALTON | FLEMINGSBURG, KY. | William T. Walton |
| Betty P. Dorsey | 338 Energy Rd. | Betty P. Dorsey |
| Noel K. Dorsey | Flemingsburg, KY | Noel K. Dorsey |
| [illegible] | Box 439B | [illegible] |
| Sibina Harris | Flemingsburg Ky 41041 | Sibina Harris |
| [illegible] | 1275 Convict Pk. | [illegible] |
| Tammi D. Boling | Flemingsburg, Ky 41041 1275 Convict Pike | Tammi D. Boling |
| Flemingsburg Baptist Church | 147 West Water Flemingsburg | Chris Cann president |
| Patricia Atherton | 96 Gardenside Drive Flemingsburg Ky 41041 | Pat Atherton |
| Dorothy D. Hurd | 78 Gardenside Dr. Flemingsburg, Ky 41041 | Dorothy D Hurd |
| Steven E. Hurd | 3401 Maysville Rd Flemingsburg Ky 41041 | Steven E. Hurd |
| Phillip Wagoner | 4001 Helena Road Maysville KY 41055 | Phillip Wagoner |
| Kenny Wagoner | 62 Kelley Pike Flemingsburg | Kenny Wagoner |
| Lois Wagoner | 62 Kelley Pike Flemingsburg | Lois Wagoner |
| Evelyn Shannon | 923 W Water St City | Evelyn Shannon |
| J B Shannon | 923 W Water St City | J B Shannon |
| Michelle Hickle | Willow Rd | Michelle Hickle |
| Rick Hickle | Willow Rd | Rick Hickle |

| | | |
|---|---|---|
| Beverly McCowan | Devonia Ave | Beverly McCowan |
| Debra Shrout | R2 Ewing | Debra Shrout |
| Gary Shannon | 451 Owens Flemingsburg | Gary Shannon |
| Whitney Shannon | 451 Owens Flemingsburg | Whitney Shannon |
| CHUCK BROWN | 1872 MOCKINGBIRD Hl. Flemingsburg | Chuck Brown |
| Jom H. Brown | 1872 Mockingbird F'burg | Jom Brown |
| Glen R McCormack | 1258 Convict Pike Flemingsburg, Ky 41041 | Glen R. McCormack |
| Mary Ann McCormack | 1258 Convict Pike Flemingsburg, Ky. 41041 | Mary Ann McCormack |
| Cody Shannon | 451 Owens lane Flemingsburg | Cody Shannon |
| Charles Brown | 117 Glascock Dr. F'burg, Ky | CHARLES BROWN |
| Dorothy W. Brown | 117 GLASCOCK DR F'BURG KY 41041 | Dorothy W. Brown |
| Anne Willson | 740 Kelley Pike | Anne Willson |

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EAST KENTUCKY POWER COOPERATIVE

May 30, 2003

James A. and Barbara G. Finch
6224 Helena Rd.
Mays Lick, KY 41055

Dear Mr. And Mrs. Finch:

Subject: Spurlock-Flemingsburg 138kV Transmission Line

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Sincerely

Bruce E. Murrey Jr.
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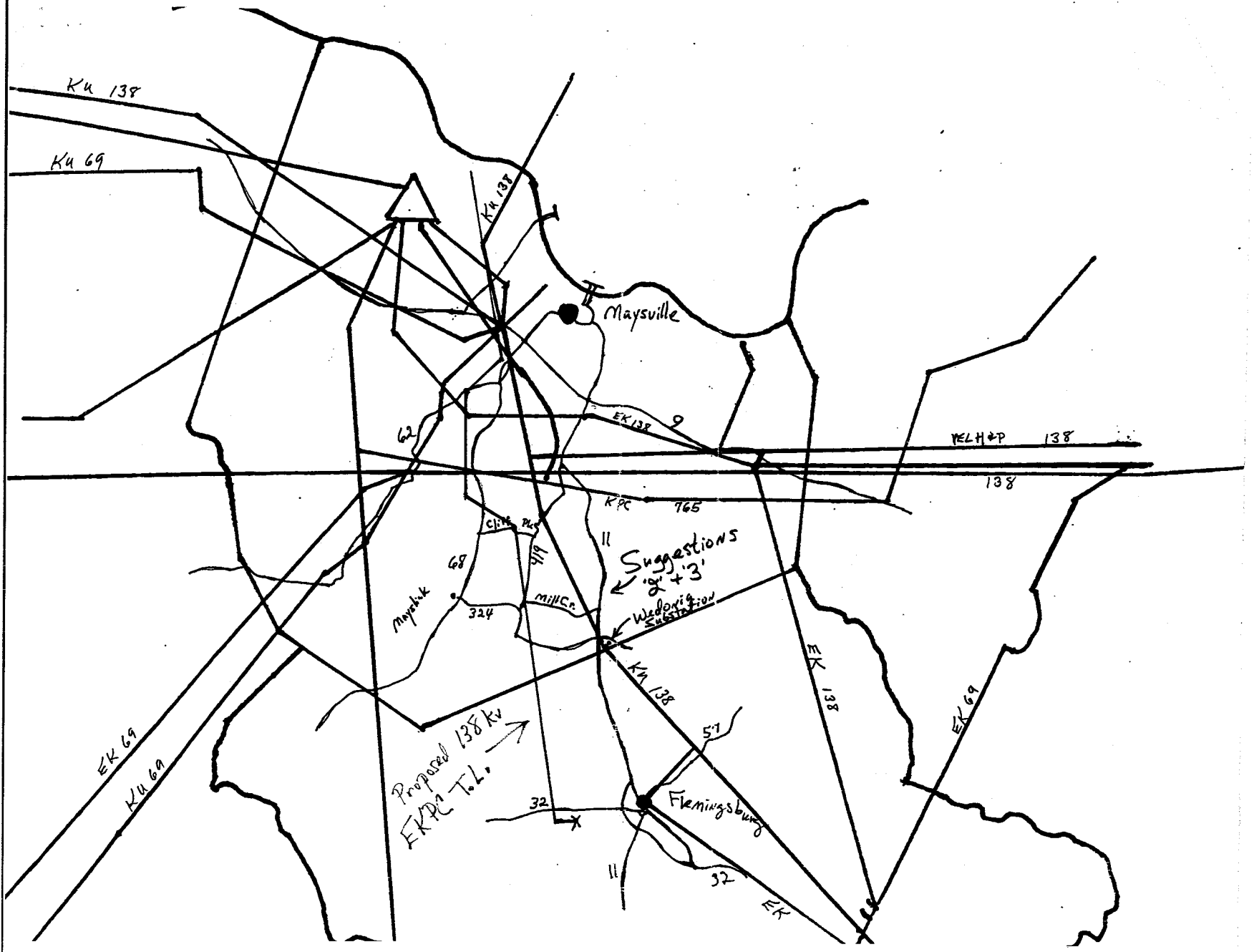
A Touchstone Energy Cooperative



Ku 138
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Maysville
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VELH&P 138
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KPC 765
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Suggestions
'2' + '3'
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Wedonia Substation
Maysbick
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Proposed 138 Kv
EKPC T.L.
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Flemingsburg
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*Mr. & Mrs. James A. Finch*
*Maplewood Farm*
*6224 Helena Road*
*Mayslick, Kentucky 41055*
*606-763-6599*

June 10, 2003

RECEIVED
JUN 1 1 2003
PUBLIC SERVICE COMMISSION

Mr. Tom Dorman,
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, Kentucky 40602

Re: Proposed New Electric Transmission Lines to be built by East Kentucky Power Cooperative in Mason and Fleming Counties.

Dear Mr. Dorman,

This letter is to serve the Kentucky PSC as an "Official Complaint" on behalf of family on the proposed new 138kv Transmission Line to be built by East Kentucky Power Cooperative. This transmission runs from the west side of Maysville, the entire length of Mason County, and into Fleming County to the west side of Flemingsburg. Their total cost for this project is $7,500,000 with total length of this transmission line is eighteen miles. Myself, my neighbors and many other landowners I have talked to do not want this line to be built over their farm land. This line goes diagonally across my farm.

Enclosed in this letter is EKPC's letter to the affected landowners this new line would be constructed. In their own words they say this new line is needed to provide reliability to area customers and be a "backup source of power". This interprets to me this backup source may never be used. Copy of their letter enclosed.

My alternate plan for their new transmission line is that they already have a existing line running along Highway 11 form Maysville to their Wedonia Power Station where they boost the power up to a 69kv line and send it east to other customers. Then another line continues out of this power station along Highway 11 to the edge of the city of Flemingsburg where it turns east going out Highway 57. I sure looks very simple to me for EKPC to build another power station close to Flemingsburg along Hwy. 11, again boosting the power up to 69kv or maybe 138kv and build this transmission line along the Flemingsburg bypass turning east onto Highway 32 to the power station Fleming-Mason RECC where they want this new power to be delivered. I have marked on a map this route.

Please do consider my complaint. EKPC's new transmission line will ruin the value of the farmland it crosses, not to mention the absolute effect in the decrease in value of each farm once this power line is constructed. Another map I am enclosing is one of All the existing electric power transmission lines in Mason County. I figured they cover approximately 2,137 acres of land that is forever out of any kind of agricultural production, and this new EKPC proposed new transmission land would add another 167 acres ruined forever. EKPC has not proved this new transmission line is needed, and I have not talked to anyone who is in favor of this project. Thank you for your time and consideration.

Sincerely,

Jim Finch

James A. Finch

EAST KENTUCKY POWER COOPERATIVE

May 30, 2003

James A. and Barbara G. Finch
6224 Helena Rd.
Mays Lick, KY 41055

Dear Mr. And Mrs. Finch:

Subject: Spurlock-Flemingsburg 138kV Transmission Line

In the "OPEN HOUSE FORMAT" information sent to you, dated May 5th, 2003, an incorrect statement was made concerning the "Need for the Project:" The new transmission line is needed to provide reliability to area consumers. This project also provides a backup source of power for the Flemingsburg Distribution Substation, that serves more than 5,000 consumers in the Flemingsburg area.

The transmission grid in northeastern Kentucky is not able to reliably carry power to electric consumers in that part of the state. Load growth has occurred that is overtaxing the existing system and this new line must be built to strengthen the grid and provide reliable service. Other upgrades of existing transmission facilities will also be made as part of the solution.

Contrary to the information provided in the fact sheet, this project is not need because of the addition of the new Gilbert Unit at the Spurlock Generating Station in Maysville. Overload problems occur and must be solved even if the new generator were never built. The project is needed as soon as it can be built, and must be completed prior to the addition of the Gilbert Unit or the existing problems only worsen.

We apologize for the incorrect information and hope this resolves any question about the need for the project. If you do have additional questions about the need for the project or questions relative to the project, please telephone us at 859- 744-4812 and we will answer your questions or return your call as soon as possible.

Sincerely

Bruce E. Murrey Jr.
Senior Right of Way Agent

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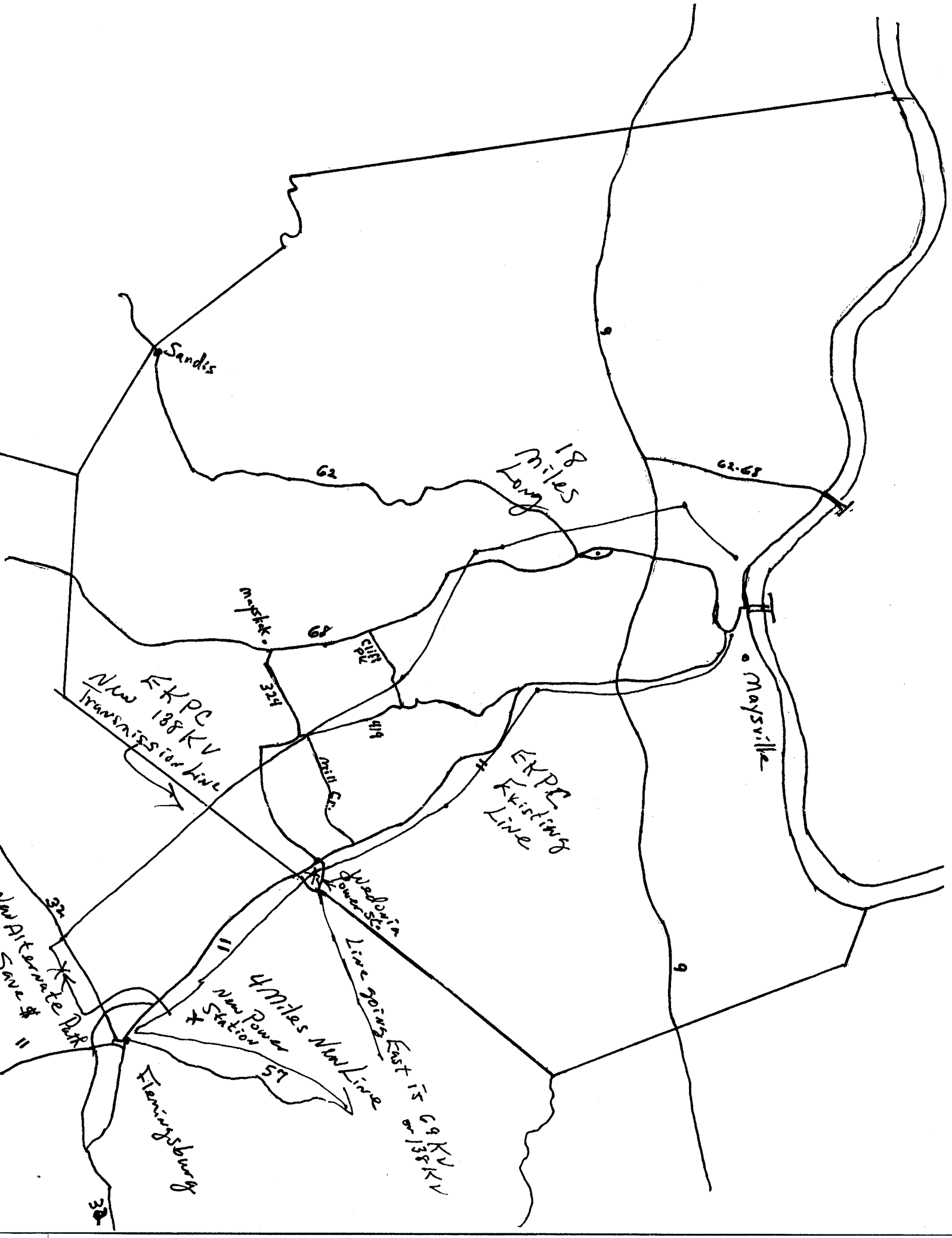
P.O. Box 707, Winchester,
Kentucky 40392-0707

Tel. (859) 744-4812
Fax: (859) 744-6008
http://www.ekpc.com

A Touchstone Energy Cooperative


Sandis
62
18 Miles Long
62-68
9
Maysville
68
Cliff Pk
324
419
Mill Cr.
EKPC New 138 KV Transmission Line
EKPC Existing Line
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Line going East is 69 KV or 138 KV
4 Miles New Line
New Power Station
57
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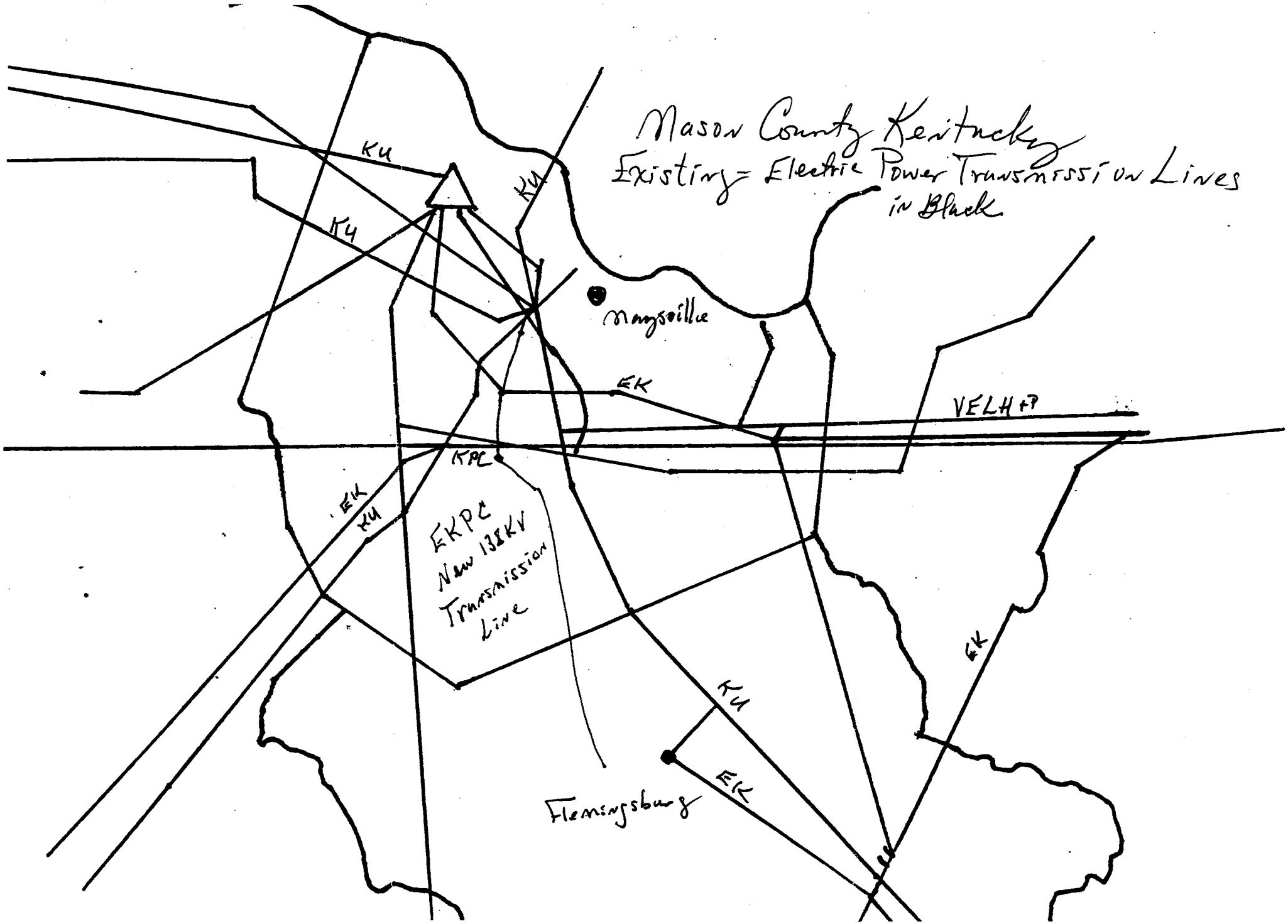
32
New Alternate Path Save $
Flemingsburg


Mason County Kentucky
Existing Electric Power Transmission Lines
in Black
KU
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EKPC
New 138KV
Transmission
Line
KU
EK
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Flemingsburg