

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CLARK ENERGY)
COOPERATIVE, INC. TO AMEND SERVICE) CASE NO.
TERRITORY WITH KENTUCKY UTILITIES) 2004-00382
COMPANY AT FIELDSTONE ESTATES)
SUBDIVISION)

O R D E R

On September 27, 2004, Clark Energy Cooperative, Inc. ("Clark Energy") filed an application for approval of a contract with Kentucky Utilities Company ("KU") to amend the electric territorial boundary in Phase 1 of the Fieldstone Estates Subdivision in Richmond, Kentucky. The application is supported by a contract, signed by both utilities, describing the boundary changes and a subdivision map, also signed by both utilities, reflecting the existing boundary and the amended boundary.

Clark Energy and KU have agreed to realign their respective territorial boundary in the southern portion of the subdivision so that the boundary coincides with the property lines of the lots. No existing customer will be reassigned to a different electric supplier as a result of the proposed territorial boundary changes.

Based on the application and being otherwise sufficiently advised, the Commission finds that the agreed-to amended boundary in Phase 1 of the subdivision will prevent wasteful duplication of facilities, avoid unnecessary encumbering of the landscape, minimize disputes between KU and Clark Energy, and provide adequate and reasonable service to all affected areas. No final development plan exists at this time

for the northern portion of the subdivision. However, Clark Energy has stated that once a final development plan is approved, it will work with KU to revise the territorial boundary in the northern portion of the subdivision to avoid having new electric-consuming facilities located in adjacent territories.

IT IS THEREFORE ORDERED that:

1. The amended territorial boundary as agreed to by Clark Energy and KU in Phase 1 of the Fieldstone Estates Subdivision in Richmond, Kentucky is approved.
2. A copy of the Fieldstone Estates Subdivision map reflecting the agreed-upon amended territorial boundary in Phase 1 shall be attached to the Commission's official territorial boundary map identified as the Richmond North USGS Topo Map.

Done at Frankfort, Kentucky, this 31st day of January, 2005.

By the Commission

ATTEST:



Executive Director