

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF KENTUCKY)	
UTILITIES COMPANY FOR A)	
CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY)	
TO CONSTRUCT FLUE GAS)	CASE NO. 2004-00426
DESULFURIZATION SYSTEMS AND)	
APPROVAL OF ITS 2004)	
COMPLIANCE PLAN AND RECOVERY)	
BY ENVIRONMENTAL SURCHARGE)	

O R D E R

On January 10, 2005, Walter Coghill wrote a protest letter to the Commission's Executive Director in this docket. As part of the letter, Mr. Coghill wrote that he requests "leave to intervene in this case." Under 807 KAR 5:001, Section 3(8), the Commission assumes that request is one for limited intervention. The letter states an objection to paying more rate increases to Kentucky Utilities Company, requests a flat-rate electric bill, and also states that his comments should apply to telephone service as well.

To be granted intervention, a party must demonstrate that he is "interested," [see, e.g., KRS 278.020(8); 278.712(5) (Siting Board standard)] and that the party's position is not already adequately represented [see, e.g., KRS 13B.060(2)(b); 807 KAR 5:001, Section 3(8), (applicable to motions for full intervention)]. The Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention ("Attorney General"), is a party to this proceeding and is charged by statute with

representing the interests of all consumers. Mr. Coghill has not demonstrated to the Commission that he will not be adequately represented by the Attorney General.

The Commission therefore interprets Mr. Coghill's letter as a protest letter and will file it in the case record. To the extent that Mr. Coghill intended his letter to be a motion to intervene, the Commission finds that the motion should be denied without prejudice for him to renew his motion, explaining in detail why his interests are not adequately represented by the Attorney General.

IT IS THEREFORE ORDERED that:

1. The January 10, 2005 letter of Walter Coghill shall be placed in the official file of this case as a protest letter.
2. To the extent that Mr. Coghill intended the letter to be a motion for limited intervention, that motion is denied without prejudice.

Done at Frankfort, Kentucky, this 10th day of February, 2005.

By the Commission

ATTEST:



Executive Director