

KINKEAD & STILZ, PLLC

ATTORNEYS AT LAW
301 EAST MAIN STREET, SUITE 800
LEXINGTON KY 40507-1520

WAYNE F. COLLIER

EMAIL: WCOLLIER@KSATTORNEYS.COM

TELEPHONE (859) 296-2300

FACSIMILE (859) 296-2566

September 13, 2004

Kentucky State Siting Board on
Electric Generation and Transmission Siting
211 Sower Boulevard
Frankfort, KY 40602-0615

RE: Application of Estill County Energy Partners, LLC for a certificate to construct a coal combustion/electric generating facility - Case No. 2002-00172

Attached is DLX's and Harry LaViers, Jr., Trustee's Hearing Brief and Amended Dismiss and Motion to Strike Testimony.

The attached electronically filed documents are a true representation of the original documents that have been filed with the Commission.