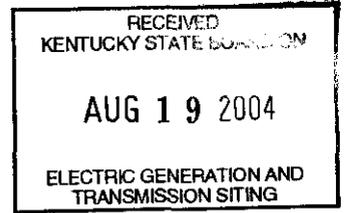


COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING



In the Matter of:

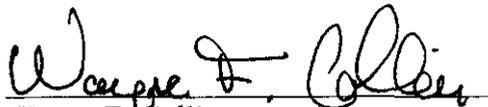
ESTILL COUNTY ENERGY PARTNERS, LLC,)
FOR A CERTIFICATE OF CONVENIENCE AND)
NECESSITY TO CONSTRUCT A COAL) CASE NO. 2002-00172
COMBUSTION FACILITY IN ESTILL COUNTY,)
KENTUCKY)

DLX'S AND HARRY LAVIERS, JR., TRUSTEE'S WITNESS LISTS

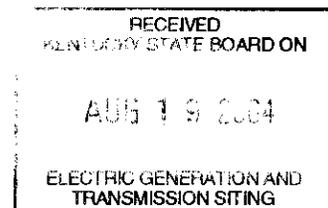
* * * * *

Come DLX, Inc. ("DLX"), and Harry LaViers, Jr., as Trustee of a Trust established for the benefit of Donald G. LaViers, Stephen D. LaViers, Henry LaViers, IV, and Elizabeth LaViers Owen, all under the Will of Maxie LaViers, deceased (the "Trust")¹, by counsel, plan to call Donald G. LaViers on behalf of DLX, and Harry LaViers, Jr., on behalf of the Trust, for all purposes permitted by KRS § 278.700-.716, 807 KAR 5:110, all applicable rules of administrative procedures and the Civil Rules. These witnesses expect to testify as set forth in their testimony that was filed herein on August 4, 2004, and as to matters contained in the Application, other items filed in the record, and as to any testimony or evidence presented by any other witness. DLX and the Trust reserve the right to present rebuttal testimony and other evidence at the August 24, 2004, hearing.

Respectfully submitted,


Wayne F. Collier

¹ The Trust was created under the will of Maxie LaViers, deceased, which is of record in Will Book J, Page 375, in the Estill County Clerk's Office.



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served via first class mail on this the 19th day of August, 2004, to the following:

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Judge Wallace Taylor
Estill County Judge Executive
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