

COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of:

| | | |
|--------------------------------------|---|----------------------------|
| APPLICATION OF DTE WICKLIFFE, |) | |
| LLC, FOR A CERTIFICATE TO |) | |
| CONSTRUCT A 13 MEGAWATT |) | CASE NO. 2005-00108 |
| MERCHANT ELECTRIC GENERATING |) | |
| FACILITY IN BALLARD COUNTY, |) | |
| KENTUCKY |) | |

KENTUCKY UTILITIES COMPANY’S
REQUEST FOR INFORMATION
TO DTE WICKLIFEE, LLC

Kentucky Utilities Company (“KU”) submits its request for information to DTE Wickliffe, LLC (“DTE”).

As used herein, “Documents” include all correspondence, memoranda, notes, maps, drawings, surveys or other written recorded materials, whether external or internal, of every kind or description, in the possession of or accessible to DTE, its witnesses, consultants or its counsel. “The Unit” shall mean the steam turbine generator which is the subject of the Application in this proceeding.

Please identify by name, title, position and responsibility the person or persons answering each of these requests for information for DTE at the bottom of each response.

1. Refer to page 3, paragraph I. of your Application, wherein it is stated that “[d]ue to the existing and projected demand of the MeadWestvaco Paper mill, the electricity generated by the proposed facility will be utilized on-site.”

a. Does the referenced language mean that DTE proposes, plans or intends to supply some or all of the power generated by the Unit to MeadWestvaco

or its successor in interest, NewPage? If so, under what authority does DTE contend it has or could have the right or ability to provide any electrical service to MeadWestvaco or NewPage? If not, please explain in detail what the referenced language means and what DTE plans to do with all of the power generated by the Unit.

2. Refer to page 3, paragraph I. of your Application, wherein it is stated that “electricity generated from the proposed facility will not physically be delivered to the electricity transmission system.”

a. How can this referenced language be reconciled with page 1 of Exhibit L, Site Assessment Report, wherein it is stated that “electricity generated will be delivered to the transmission grid by connecting at the existing Westvaco Substation owned by Kentucky Utilities and located within the MeadWestvaco mill.” Please explain your answer in detail.

3. Refer to page 1 of your Application, wherein you state that “DTE Wickliffe does not meet the definition exemption requirements set out in 16 U.S.C. 796(18)(b) and the regulations promulgated pursuant thereto as it relates to upstream ownership.” Please explain in detail why DTE does not meet those “definition exemption requirements.”

4. Has DTE contracted with MeadWestvaco or its successor NewPage for use of the site proposed for the Unit? If so, produce a complete, executed copy of the contract or agreement and all supporting documents.

5. Has DTE contracted with MISO for transmission services? If so, supply a complete, executed copy of the contract or agreement and all supporting documents. If not, explain how DTE anticipate delivering any power to the wholesale market, if it so intends?

6. Under what rationale or theory does DTE anticipate the use of KU's facilities? as outlined in its Application? Does DTE agree that KU can deny the use of distribution facilities dedicated to a retail customer as a step-up transformer for a merchant generating plant to access the open transmission grid? Explain your response in detail.

7. If DTE does gain the use of KU's distribution facilities, does DTE accept there would be a charge for such service? If not, why not. Explain your response in detail.

8. If DTE did not have the use of KU's distribution facilities, how would DTE anticipate gaining access to the open transmission grid (if it intends to gain such access)?

9. Does DTE agree that it may not under any circumstances deliver retail electric service, as defined by KRS 278.010, to a customer located in KU's certified service territory? If not, why not. Explain your response in detail.

10. Does DTE agree that to sell power generated by the Unit to the wholesale market the load on the KU transmission system must increase? If not, why not. Explain your response in detail.

11. Does DTE agree that the cost of providing protection to the KU transmission system and the KU retail customer on the distribution side of the transformers should be borne by DTE? If not, why not. Explain your response in detail.

12. Explain in detail each and every modification which will be necessary to KU's transmission and/or distribution system as a result of the construction and operation of the Unit must be borne by DTE.

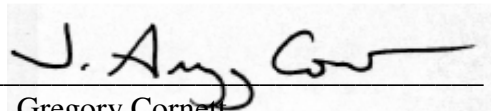
13. Explain in detail the basis for the statement, on page 3, paragraph I. of your Application, that "[t]he addition of this project should improve stability and reliable electricity transmission in the area."

14. Does DTE agree that any cost of modifying the KU transmission or distribution system as a result of the construction and operation of the Unit must be borne by DTE? If not, why not. Explain your response in detail.

15. If the requested Construction Certificate is granted, will DTE assume the liability for any interruption of service to MeadWestvaco or its successor in interest on the distribution side of the transformers? If not, why not. Explain your response in detail.

Dated: May 19, 2005

Respectfully submitted,

By: 
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Counsel for Kentucky Utilities Company

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Request for Information was served on this 19th day of May 2005 by mailing a true and correct copy, by first-class U.S. mail, postage prepaid mail, to the following:

Bob Buchanan
Judge Executive
437 Ohio Street
Post Office Box 276
Wickliffe, Kentucky 42087-0276

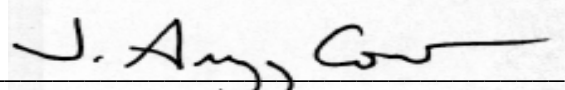
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