

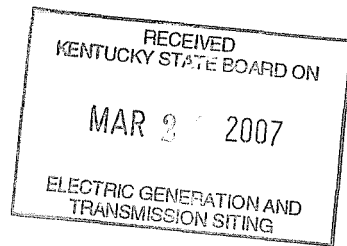


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March 19, 2009



Jeff Derouen, Executive Director  
Public Service Commission  
P. O. Box 615  
211 Sower Blvd.  
Frankfort, KY 40602-0615

**Re: Motion for Enforcement of Order; Siting Board No. 2005-00152**

Dear Director Derouen:

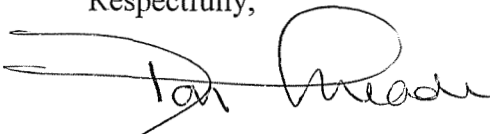
This letter is written at the request of the Commission at the conclusion of the meeting conducted at the PSC Offices on March 17.

I understand that these discussions are to be treated as confidential and will not cite information exchanged at the meeting. The Intervenor's position remains the same. On the face of its original pleadings, Intervenor urge that a prima facie case has been made for proceedings before the PSC/Siting Board. Even under the Company's interpretation of the data, approximately half the work being performed at Trimble County is being done by people beyond the extended local area and out of state. Approximately 70% is being performed by individuals outside a 50 mile radius. This is occurring while hundreds of qualified, experienced, safety conscious and drug free union workers sit idle. The economic benefit and impact, which was anticipated by the Siting Board's approval of the TC2 project, has been sliced in half, at a minimum, because of the hiring practices being employed by the general contractor. It is a proper subject for investigation/hearing/action by the Siting Board to determine whether the Applicants have acted in good faith or are taking the anticipated measures to assure that the economic benefits of this multi-million dollar construction project flow to Kentucky workers, and those in surrounding areas which interact with the Kentucky economy.

The correspondence of February 20 from your office states that these matters "will be held by the PSC's Division of Filings pending the outcome of the meeting described below." While the meeting may have provided a useful forum for exchange of information, it cannot substitute for formal action with regard to the Intervenor's filing. We would urge that the PSC/Siting Board initiate

a new proceeding for the determination of fact issues and legal questions arising from the three annual filings, made pursuant to its Order, and the objections made by Intervenors. If the PSC elects not to take this or similar action, it should issue an order reflecting that Intervenors have exhausted their administrative remedies before the PSC, or otherwise define the present state of proceedings for purposes of future action under either KRS 278.712(5) or 278.410.

Respectfully,



Don Meade

DM/sks

cc: Service List  
Joe Wise  
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