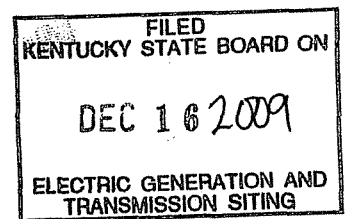




Lexington Financial Center  
250 West Main Street, Suite 1600  
Lexington, Kentucky 40507-1746  
859.233.2012  
Fax: 859.259.0649



December 15, 2009

Kentucky State Board on Electric Generation and Transmission Siting  
Kentucky Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, KY 40602

Case No: 2009-00530

RE: Notice of Intent to File Application of ecoPower Generation, LLC, for:  
50 Megawatt Merchant Electric Generating Facility; and  
69 KV Non-Regulated Transmission Line  
Perry County, Kentucky  
Pursuant to: KRS 278.700 et seq. and 807 KAR 5:110

To Whom it May Concern:

ecoPower Generation, LLC hereby files this Notice of Intent to File Applications for Certificates of Construction for a merchant electric generating facility and for a 69 KV non-regulated transmission line to convey the electric power produced by the facility.

a. The name, address and telephone number of the person who intends to file the application is:

ecoPower Generation, LLC (ecoPower)  
1256 Manchester Street  
Lexington, Kentucky 40504  
859-685-1106  
Attention: Gary Crawford, Chief Executive Officer.

b. The proposed construction is briefly described below:

ecoPower proposes to construct and operate a 50 Megawatt (MW) electric generation plant fueled with biomass. The plant will be located on approximately 125 acres of previously mined land within the Coal Fields Regional Industrial Park in northern Perry County. The facility will be fueled with wood-waste biomass products such as low quality logs, sawdust, wood chips, bark and sawmill tailings from nearby industrial facilities and

December 15, 2009

Page 2

operations. The facility will employ fluidized bed boiler combustion technology in a Rankine thermodynamic cycle to generate approximately 50 MW of electricity. The company plans to contract to sell its power output to electric utilities. The minimal waste generated in this process will be recycled through beneficial reuse within the concrete industry and as a soil additive or amendment. The proposed transmission line will connect the electric generation facility to the American Electric Power Engle substation. The substation is located at the entrance to the Coal Fields Regional Industrial Park, a distance of approximately one mile. The transmission line will exit ecoPower property at its southeast corner and will traverse south-southeast on or over currently-existing easements or easements to be acquired for this purpose.

c. The proposed construction will be located within the Coal Fields Regional Industrial Park, which is accessed from Kentucky Route 15. The site is approximately ten miles north of the city of Hazard, Kentucky in an unincorporated area of northern Perry County, Kentucky. The site is not within the boundaries of a city. The address of the site is 1244 Coalfields Industrial Drive, Chavies, Kentucky, 41727. The latitude and longitude of the site are:

Latitude of 37deg- 22' 29.07951" (NAD83)

Longitude of 83deg - 16' - 36.08828" (NAD83)

d. There is no planning or zoning commission with jurisdiction over the site.

e. Since there is no planning and zoning commission with jurisdiction over the site and no applicable zoning ordinances, there are no local set back requirements applicable to the site.

f. Pursuant to KRS 278.704 (4), the applicant will request a deviation from the setback requirements found in KRS 278.704 (2).

Please assign an appropriate case number to this matter. If any additional information is needed regarding this filing please contact:

George L. Seay, Jr.  
Wyatt Tarrant & Combs  
West Main Street, Suite 1600  
Lexington, KY 40507-1746  
(859) 288-7448



Thank you for accepting this Notice of Intent to File Application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George L. Seay, Jr." with a large, stylized flourish at the end.

George L. Seay, Jr.  
Wyatt Tarrant & Combs  
250 West Main Street, Suite 1600  
Lexington, KY 40507-1746  
859-288-7448

GLS/lu

30540848.1