

RECEIVED  
JAN 19 2005  
PUBLIC SERVICE  
COMMISSION

January 13, 2005

Ms. Elizabeth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
P.O. Box 615  
211 Sower Boulevard  
Frankfort, KY 40602-0615

RE: Docket No. 2004-00320

Dear Ms. O'Donnell:

Thank you for your prompt reply to my letter of December 14, 2004. As I stated, I do understand that you are not responsible for the environmental process violations I pointed out, and sent both federal and state authorities the same letter I sent you. However, I'm afraid you missed my point that I feel it would be irresponsible for the KY PSC to approve a project that is dependent on federal funding for construction when that funding has not yet been approved.

Therefore, in accordance with KRS 278.712, I am formally submitting my opposition to this project (Docket No. 2004-00320), and requesting that you convene a local public hearing so that the concerns of affected property owners may be properly addressed. Be advised that I also wish to participate in an evidentiary hearing, or make an unsworn public statement, whichever you deem appropriate, regarding this project. It is my understanding that this hearing will be granted upon your receipt of three interested persons. My address, phone numbers, and e-mail address are listed at the end of this letter.

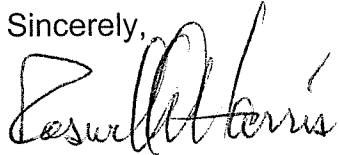
I must further point out that your own regulation (807 KAR 5:120E) requires the applicant (EKPC) to publish in a local newspaper their intent to construct this power line. This notice must include a map of the proposed route, a statement of the right to request a local public hearing, and a statement of the right to move to intervene. I am not aware that any such notice was published, and hereby request that you furnish me a copy of that notice if one has been published.

This same regulation also requires the applicant to submit "A copy of each written assessment of the environmental, historical, and archaeological impact of the proposed construction, if any, required by a governmental administrative agency with jurisdiction." As I pointed out in my first letter to you, these studies are required by RUS. However, I have been told by EKPC officials that these studies have not been completed, as a reason for not providing me a copy. This alone violates your own regulation and dictates that you not accept or approve the application for this project.

I would also point out that EKPC already has surveyors out establishing the centerline of this proposed transmission line. I believe this to be premature and a clear violation of the intent and letter of both federal and state law, since the KY PSC has not even completed their review of the EKPC application, and no opportunity has been provided for public input. I hereby formally request that you intervene to prevent EKPC from further activities on this proposed project until such time that all applicable federal and state permits and environmental studies have been completed and approved.

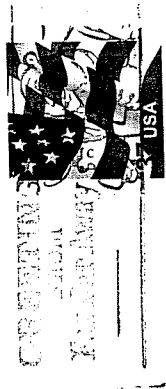
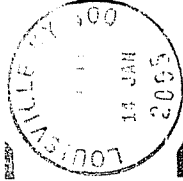
I look forward to hearing from you regarding this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Roswell A. Harris". The signature is written in a cursive style with a large initial "R".

Roswell A. Harris, PhD, PE  
1800 John Henry Road  
Taylorsville, KY 40071  
502-477-1560 or 502-299-7783  
e-mail: [al.harris@louisville.edu](mailto:al.harris@louisville.edu)

Roswell A. Harris  
1800 John Henry Road  
Taylorsville, KY 40071



RECEIVED  
JAN 18 2005  
PUBLIC SERVICE  
COMMISSION

Ms. Elizabeth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
P.O. Box 615  
211 Sower Boulevard  
Frankfort, KY 40602-0615

40601+R234 13

