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PUBLIC SERVICE
COMMISSION

Jason Bentley
General Counsel
Public Service Commission

P.O. Box 615
Frankfort, KY 40602

Administrative Case 2003-00343

RE: 807 KAR 5:120 Applications for certificate of public convenience and necessity for certain electric transmission lines.

Dear Mr. Bentley:

Please accept this letter as formal written comments related to the promulgation of administrative regulation 807 KAR 5:120 "Applications for certificate of public convenience and necessity for certain electric transmission lines."

During the 2004 General Assembly, I watched with great anticipation as Senate Bill 246 moved through the committee process and was granted final approval in both the House and Senate by wide margins. I hoped that the passage of this bill and subsequent implementation by the Public Service Commission would mark a new day in the rights of property owners in Kentucky. As a developer, I must adhere to strict local planning guidelines and multiple legal hurdles in any attempt to build or renovate property. These requirements ultimately make a better development for all involved. These same principles should apply to electric utilities as they seek to build enormous transmission lines that require the taking of private property and change the landscape they transgress forever.

During the hearings on Senate Bill 246, I testified before a legislative panel about these beliefs and the challenges property owners face when such a transmission line is proposed in their area. The legislators on this committee agreed that property owners should have a voice in this process. Every legislator who spoke that day in committee indicated that the passage of this bill was intended for me and every property owner like me who deserves a hearing and an opportunity for an independent body (the Public Service Commission) to review the need for such a dramatic investment and the wisdom of its placement in the community.

Please ensure that the regulatory process undertaken with the filing of 807 KAR 5:120 does not in any way skirt or hinder the legislative intent of this act.

Thank you.

Sincerely,

Scott Hagan