

O'CONNOR & HANNAN, L.L.P.  
ATTORNEYS AT LAW

PATRICK J. O'CONNOR  
JOE A. WALTERS  
F. GORDON LEE  
GEORGE J. MANNINA, JR.  
THOMAS J. CORCORAN\*  
ROBERT M. ADLER  
TIMOTHY W. JENKINS  
KURT E. BLASE  
ROY C. COFFEE\*\*  
JAMES W. SYMINGTON  
GARY C. ADLER  
JOHN M. HIMMELBERG  
J. CRAIG POTTER  
ALBERT P. LINDEMANN, JR.  
JED L. BABBIN  
EMIL HIRSCH  
FREDERICK T. DOMBO, III  
PAUL L. KNIGHT  
GERALD H. YAMADA  
REED W. NEUMAN  
CRAIG A. KOENIGS

ASSOCIATES  
JAMES P. RYAN  
CATHERINE M. SAUVAIN

INTERNATIONAL CONSULTANTS  
EDNY RAZ\*\*\*

LEGISLATIVE CONSULTANTS  
ROBERT W. BARRIE\* (RESIDENT IN FLORIDA)  
GEORGE J. HOCHBRUECKNER\*  
JAMES H. ENGLISH\*  
B. KEITH HEARD\*

OF COUNSEL  
CHARLES R. MCCARTHY, JR.  
STEPHEN M. SOBLE  
THOMAS J. SCHNEIDER (RETIRED)  
DAVID R. MELINCOFF (RETIRED)

SUITE 500  
1666 K STREET, N.W.  
WASHINGTON, D.C. 20008-2803  
(202) 887-1400  
FAX (202) 466-2198  
FAX (202) 466-3215  
www.oconnorhannan.com

TYSONS CORNER  
8300 BOONE BOULEVARD  
5TH FLOOR  
VIENNA, VIRGINIA 22182  
(703) 714-6670  
FAX (703) 848-4586  
H. GEORGE SCHWEITZER

\* NOT AN ATTORNEY  
\*\* NOT A MEMBER OF THE D.C. BAR  
\*\*\* NOT PRACTICING LAW IN THE U.S.

May 13, 2005

Beth A. O'Donnell, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602

RECEIVED

MAY 16 2005

Re: Case No. 2004-00423

PUBLIC SERVICE  
COMMISSION

Filed by Fax, Original via Courier

Dear Ms. O'Donnell:

Please find enclosed the original and ten (10) copies of EnviroPower, LLC's Request for Correction in Commission Order of May 11, 2005 and Order for Publication.

By copy of this letter, all parties listed on the attached Certificate of Service have been served. Please place these documents on file.

Sincerely yours,



Stephen M. Soble

O'Connor & Hannan, LLP

Enclosure

CC: Mr. Charlie Lile  
Mr. Bill Bosta  
Mr. Richard Raff  
Ms. Elizabeth Blackford  
Mr. Michael Kurtz  
Mr. Frederic Cowan

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

**APPLICATION OF EAST KENTUCKY POWER  
COOPERATIVE, INC. FOR A CERTIFICATE  
OF PUBLIC CONVENIENCE AND NECESSITY,  
AND SITE COMPATABILITY CERTIFICATE  
FOR THE CONSTRUCTION OF A 278 MW  
(NOMINAL) CIRCULATING FLUIDIZED BED  
COAL FIRED UNIT IN MASON COUNTY,  
KENTUCKY**

**CASE NO. 2004-00423**

RECEIVED

MAY 16 2005

PUBLIC SERVICE  
COMMISSION

**REQUEST FOR CORRECTION IN COMMISSION ORDER OF MAY 11, 2005 AND  
ORDER FOR PUBLICATION**

On May 11, 2005, the Commission issued an Order concerning the March 30, 2005 Petition of EnviroPower LLC to protect certain confidential information contained in sworn Direct Testimony and accompanying exhibits of Frank L. Rotondi, President and CEO of EnviroPower.

The May 11 Order refers to a petition filed on "March 3, 2005." Accordingly, the Order "grants confidential protection to the information designated as confidential by EnviroPower in its filing with the Commission on March 3, 2005.

1. The date of the sworn Direct Testimony filing of direct testimony with the Commission was actually March 30, 2005, and it was logged in as filed by the Commission on March 31, 2005, not March 3, 2005.

EnviroPower respectfully requests a correction of this error.

2. On March 31, 2005, EnviroPower filed one original and numerous redacted versions of the sworn, Direct Testimony of Frank L. Rotondi and accompanying documents with

the Commission. On April 7, 2005, the only submitted document which appeared on the Commission's website for public access to the record of the case, was the "Table of Contents for Submission by EnviroPower on March 30, 2005," dated-stamped as "original" on March 31, 2005.

In light of the Order of the Commission of May 11, 2005 regarding confidential treatment and the presumptive correction of a clerical error requested in the foregoing section of this Petition, EnviroPower respectfully requests that the entire redacted version of "The Submission by EnviroPower on March 30, 2005" be posted on the Commission's website for public review. It should be noted that in this same case, East Kentucky Power Cooperative, Inc. has made filings which have been 4 to 5 times larger in size than the documents submitted by EnviroPower. In addition, the EnviroPower' submission identified eight different documents, which were tabbed and indexed on the Table of Contents which could be scanned and posted individually, or collectively, in accordance with the administrative ease of the Commission staff. EnviroPower notes that its March 30, 2005 submission is included in the official record of the Commission for this case and is included in the Designation of Record in the case EnviroPower v. Public Service Commission, 05-CI-00553, pending in Franklin Circuit Court.

Wherefore, EnviroPower respectfully requests an Order or Instruction of the Commission to post only the Redacted Version of "The Submission by EnviroPower on March 30, 2005", in its entirety on the Commission website.

Respectfully submitted,



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Stephen M. Soble  
O'Connor & Hannan, LLP  
1666 K Street, NW  
Suite 500

Washington, DC 20006-2803

Tel: (202) 887-1420

Fax: (202) 466-3215

[ssoble@oconnorhannan.com](mailto:ssoble@oconnorhannan.com)

*Frederic J. Cowan by sus*

Frederic J. Cowan

Lynch, Cox, Gilman & Mahan, P.S.C.

400 West Market Street

Suite 2200

Louisville, Kentucky 40202

Tel: (502) 589-4215

Fax: (502) 589-4994

[fcowan@lcgandm.com](mailto:fcowan@lcgandm.com)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by regular U.S. mail (unless otherwise noted) to all parties on this 13<sup>th</sup> day of May, 2005.


Charles Lile, Esq.  
East Kentucky Power Cooperative, Inc.  
4775 Lexington Road  
P.O. Box 707  
Winchester, Kentucky 40392-0707

Mr. Bill Bosta, Manager of Pricing Process  
East Kentucky Power Cooperative, Inc.  
4775 Lexington Road  
P.O. Box 707  
Winchester, Kentucky 40392-0707

Elizabeth Blackford, Esq.  
Office of Rate Intervention  
1024 Capitol Center Drive  
Frankfort, Kentucky 40601

Frederic J. Cowan  
Lynch, Cox, Gilman & Mahan, P.S.C.  
400 West Market Street  
Suite 2200  
Louisville, Kentucky 40202

Michael L. Kurtz  
Boehm, Kurtz & Lowry  
36 East 7<sup>th</sup> Street, Suite 1510  
Cincinnati, Ohio 45202

  
\_\_\_\_\_  
Stephen M. Soble