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December 22, 2006

COUNSEL
FREDERIC J. COWAN

S. ARNOLD LYNCH
(1915-1996)

¹ALSO ADMITTED U.S. PATENT OFFICE

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⁴ALSO ADMITTED ILLINOIS

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DEC 27 2006

PUBLIC SERVICE
COMMISSION

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

**Re: EnviroPower, LLC vs. Public Service Commission of Kentucky, et al.
Case No. 2004-00423 and Case No. 2005-00053 ✓**

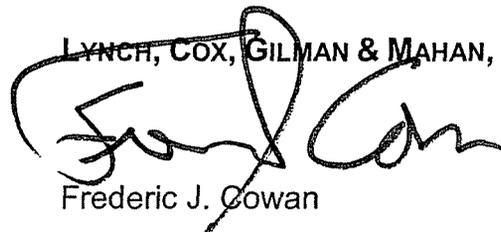
Dear Ms. O'Donnell:

Please find enclosed the original and one copy of our Motion and Order to Substitute Counsel in each of the above-referenced cases. Please file these pleadings with the Commission and return the file-stamped copy to me.

If you have any questions, please give me a call.

Sincerely,

LYNCH, COX, GILMAN & MAHAN, P.S.C.



Frederic J. Cowan

FJC:jj

Enc.

cc: Stephen M. Soble
Troy D. Reynolds
Debbie Dawson

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

DEC 27 2006

PUBLIC SERVICE
COMMISSION

In the matter of:)
APPLICATION OF EAST KENTUCKY POWER)
COOPERATIVE, INC., FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY AND)
A SITE COMPATIBILITY CERTIFICATE FOR THE)
CONSTRUCTION OF A 278 MW (NOMINAL))
CIRCULATING FLUIDIZED BED COAL FIRED UNIT)
AND FIVE 90 MW (NOMINAL) COMBUSTION TURBINES)
IN CLARK COUNTY)

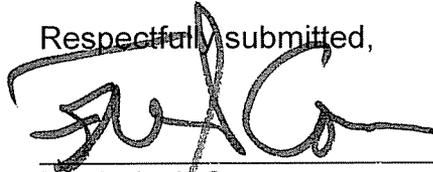
CASE # 2005-00053

MOTION TO SUBSTITUTE COUNSEL

The undersigned, Frederic J. Cowan, of counsel to the firm of Lynch, Cox, Gilman & Mahan, P.S.C., 500 West Jefferson Street, Suite 2100, Louisville, Kentucky 40202-3354, hereby moves the Commission to enter the attached order substituting Troy D . Reynolds (Kentucky Bar Association No. 84531) of the law firm of Kelley Drye Collier Shannon, 3050 K Street, N.W., Suite 400, Washington, D.C. 20007-5108 as co-counsel on behalf of Enviropower, LLC in place of the undersigned.

In support of this motion, Frederic J. Cowan states that in the November 7, 2006 election, he was elected to Circuit Judge of the 30th Judicial Circuit and will take office on January 1, 2007. As a result, he will no longer be able to provide representation for the Plaintiff, EnviroPower, LLC, in the above-styled action. Stephen M. Soble and the law firm of Soble International Law, PLLC, c/o Kelley Drye Collier Shannon, 3050 K Street, N.W., Suite 400, Washington, D.C. 20007-5108, will continue as co-counsel herein.

Respectfully submitted,



Frederic J. Cowan
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500 West Jefferson Street, Suite 2100
Louisville, Kentucky 40202
(502) 589-4215

Stephen M. Soble
SOBLE INTERNATIONAL LAW, PLLC
c/o Kelley Drye Collier Shannon
3050 K Street, N.W., Suite 400
Washington, D.C. 20007-5108
Co-counsel for EnviroPower, LLC

CERTIFICATE OF SERVICE

It is hereby certified that copies of foregoing Motion to Substitute Counsel, with attached Order was mailed by first-class mail to the following persons on this 22nd day of December, 2006.

Richard Raff, Esq.
Gerald Wuetcher, Esq.
Division of Law
Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, Kentucky 40602
Counsel for Public Service Commission

Charles Lile, Esq.
Dale Henley, Esq.
Senior Corporate Counsel
East Kentucky Power Cooperative, Inc.
4775 Lexington Road
P. O. Box 707
Winchester, Kentucky 40392-0707
Counsel for East Kentucky Power
Cooperative, Inc.

Dennis Howard, Esq.
Elizabeth Blackford, Esq.
Office of Rate Intervention
1024 Capitol Center Drive
Frankfort, KY 40601
Counsel for Office of Attorney General

Michael L. Kurtz, Esq.
Boehm, Kurtz & Lowry
36 East 7th Street, Suite 1510
Cincinnati, Ohio 45202
Counsel for Gallatin Steel Co.

Troy D. Reynolds
Kelley Drye Collier Shannon
3050 K Street, N.W., Suite 400
Washington, D.C. 20007-5108



**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)
A SITE COMPATIBILITY CERTIFICATE FOR THE)
FOR THE CONSTRUCTION OF A 278 MW (NOMINAL)) CASE # 2005-00053
CIRCULATING FLUIDIZED BED COAL FIRED UNIT)
AND FIVE 90 MW (NOMINAL) COMBUSTION TURBINES)
IN CLARK COUNTY))

ORDER TO SUBSTITUTE COUNSEL

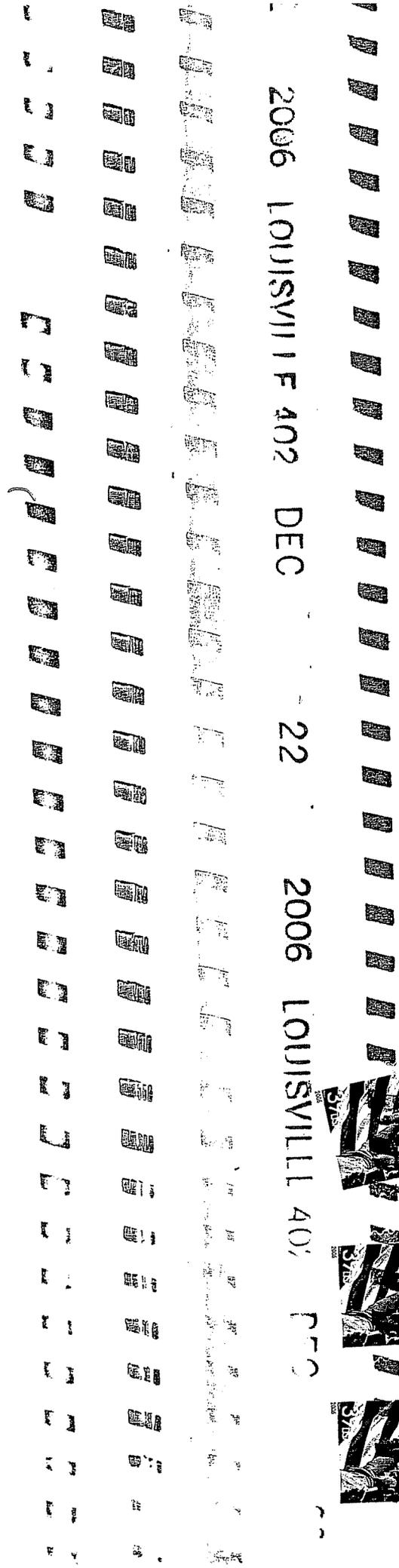
Motion having been made, and the Commission being otherwise sufficiently advised,

IT IS HEREBY ORDERED that Troy D. Reynolds, of the law firm of Kelley Drye Collier Shannon, 3050 K Street, N.W., Suite 400, Washington, D.C. 20007-5108 is substituted for Frederic J. Cowan and the law firm of Lynch, Cox, Gilman & Mahan, P.S.C., as co-counsel for the Plaintiff, EnviroPower, LLC.

JUDGE

Dated: _____, 2006

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 Kentucky Public Service Commission
 211 Sower Boulevard
 Frankfort, Kentucky 40602

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