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September 18, 2006

Elizabeth O'Donnell
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602

RECEIVED

SEP 18 2006

PUBLIC SERVICE
COMMISSION

RE: ~~92-005~~

Case No. 2006-00417

Dear Ms. O'Donnell:

Enclosed are an original and ten copies each of a Motion of Kentucky Utilities Company to Reopen and Modify Certificate in the above-mentioned case.

Please indicate receipt of this filing by placing your file stamp on the extra copy and returning to me via our runner.

Very truly yours,

STOLL KEENON OGDEN PLLC

Deborah T. Eversole

Cc: Parties of Record
Robert Conroy
Beth Cocanougher
Kendrick Riggs

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

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SEP 18 2006

In the Matter of:

PUBLIC SERVICE
COMMISSION

THE APPLICATION OF KENTUCKY UTILITIES)
COMPANY FOR A CERTIFICATE OF CONVENIENCE)
AND NECESSITY TO CONSTRUCT A SCRUBBER)
ON UNIT NO. 1 OF ITS GHENT GENERATING)
PLANT)

CASE NO. ~~92-005~~

2006-00412

**MOTION OF KENTUCKY UTILITIES COMPANY
TO REOPEN AND MODIFY CERTIFICATE**

Kentucky Utilities Company ("KU"), for its Motion to Reopen and Modify the Certificate of Public Convenience and Necessity ("Certificate") granted by the Commission in this case, states as follows:

1. By Order dated July 24, 1992 (the "Final Order"), the Commission granted the Certificate sought by KU herein to construct a flue gas desulfurization system and associated scrubber retrofit facilities (the "Scrubber") to be constructed at KU's Ghent Generating Station in Carrollton, Kentucky and to be installed near unit number 1 of the Ghent Generating Station ("Ghent Unit 1"). KU requests that the Commission reopen this case for the limited purpose of amending the Certificate to reflect that the ductwork to the Scrubber will be modified to allow the Scrubber to support unit number 2 of the Ghent Generating Station ("Ghent Unit 2") rather than Ghent Unit 1 as reflected in the January 2, 1992 Application of KU in this case.

2. The Commission has previously reopened Certificate cases for the limited purpose of approving physical modifications to the certificated facilities. For example,

in Case No. 98-173,¹ the Commission reopened a certificate case and closed it within a single Order on motion of the applicant to reflect a change in engineering design from that of the certificate previously granted. Similarly, in Case No. 96-008,² the Commission opened a certificate case and closed it within a single Order on motion of the applicant to increase the height of the approved cellular tower. In Case No. 97-253,³ the Commission granted, in a single Order, a Motion to Reopen Case and Modify Order granting a certificate, when a cellular utility planned to physically modify the certificated tower to an additional height and to install a lightning rod.

3. The modification requested herein consists solely of ductwork reconfiguration, and will reduce the costs of both construction and operation by shortening the length of total ductwork needed to connect Ghent Unit 1 and Ghent Unit 2 to their respective scrubbers. The attached drawing illustrates the difference between the current ductwork configuration and the modification to that configuration planned by KU.

4. Although the Commission has previously issued certificates approving the

¹ *In the Matter of: The Application of Crown Communication, Inc., Nextel West Corp., and Powertel/Kentucky, Inc. for Issuance of a Certificate of Public Convenience and Necessity to Construct a Wireless Communications Facility at 8000 Block Wolf Pen Branch Road in the Trunked SMR License Area and Basic Trading Area in the Commonwealth of Kentucky in the County of Jefferson* (Order Reopening and Modifying dated May 27, 1999).

² *In the Matter of Application of Horizon Cellular Telephone Company of Central Kentucky, L.P., a Delaware Limited Partnership, for Issuance of a Certificate of Public Convenience and Necessity to Construct an Additional Cell Facility in the Kentucky Rural Service Area No. 6, Which Includes Casey, Lincoln, Rockcastle, Pulaski, and Laurel Counties in Kentucky (The Liberty Cell Site)*, (Order Reopening and Modifying dated August 28, 1996).

³ *Application of Kentucky CGSA, Inc. for Issuance of a Certificate of Public Convenience and Necessity to Construct an Additional Cell Site in Lexington, Kentucky for the Provision of Domestic Public Cellular Radio Telecommunications Service to the Public in Fayette County, Kentucky and the Lexington MSA* (Order Reopening and Modifying dated September 30, 1998)

construction of scrubbers at all four generating units at the Ghent Generating Station,⁴ the construction of these scrubbers is not yet complete, and, thus, Ghent Units 2, 3, and 4 do not yet have operational scrubbers. The physical proximity of the existing Scrubber certificated herein to Ghent Unit 2, as shown on the attached drawing, indicates that efficiencies would be achieved by routing the Ghent Unit 2 flue gas into the existing Scrubber and routing the Ghent Unit 1 flue gas through the new scrubber currently (and in name only) being constructed for Ghent Unit 2.

5. KU's plan to reconfigure the ductwork as described herein is of longstanding. KU proposed in Case No. 2004-00426 the same configuration for which the modification is requested herein.⁵ The Commission Staff recently requested KU to provide information about this issue in Case No. 2006-00206.⁶

6. The modification requested herein will not alter in any way the purpose for which the Certificate in this case was granted (to reduce emissions in necessary compliance with Title IV of the Clean Air Act Amendments of 1990).⁷ Nor will the modification increase KU's operating expense. In fact, the modification will decrease the

⁴ See Final Order herein and Final Order dated June 20, 2005, in Case No. 2004-00426, *In the Matter of: The Application of Kentucky Utilities Company for a Certificate of Public Convenience and Necessity to Construct Flue Gas Desulfurization Systems and Approval of its 2004 Compliance Plan for Recovery by Environmental Surcharge*.

⁵ See Ghent FGD Project drawing dated November 24, 2003, attached behind "Maps" tab to Application in Case No. 2004-00426, filed December 20, 2004; and *Construction and Minor Revision of Title V Operating Permit* prepared by Kentuckiana Engineering Company (January 2005), and filed in Case No. 2004-00426 as an Exhibit to KU's January 26, 2005 Response to First Data Request of Commission Staff, Item No. 4.

⁶ See KU's Response to Second Data Request No. 5 filed September 7, 2006 in *In the Matter of: The Application of Kentucky Utilities Company for a Certificate of Public Convenience and Necessity to Construct a Selective Catalytic Reduction System and Approval of Its 2006 Compliance Plan for Recovery by Environmental Surcharge*.

⁷ See Final Order herein, at 1-2.

ultimate expense of ensuring that all four generation units at the site will be scrubbed in order to comply with EPA requirements and as approved by Commission orders.

WHEREFORE, Kentucky Utilities Company respectfully requests that:

1. The Commission reopen this case for the limited purpose specified in this Motion, and
2. Issue its Order approving the modification to the Certificate granted in this case as described herein.

Respectfully submitted,



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Counsel for
Kentucky Utilities Company

CERTIFICATE OF SERVICE


The undersigned hereby certifies that a true and correct copy of the foregoing was served on the following parties of record this 8th day of September 2006, by mailing a copy thereof, postage prepaid, via U.S. mail to:

Michael L. Kurz
Boehm, Kurtz & Lowry
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United Mine Workers of America
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Washington, D.C. 20005


Counsel for Kentucky Utilities Company

LOU 400001/123368/447647.2

LEGEND

1. Lines shown in black are existing equipment.
2. Lines shown in red are new FGD's.
3. Lines shown in green are new stacks.

Ductwork layout indicative of expected layout presently under design.

New Ductwork to connect GH 1 to New FGD

Existing Ductwork connecting GH 1 to existing FGD

New Ductwork to connect GH 2 to existing FGD

To be abandoned in place Existing Stack

FGD for GH 3 New FGD

To be abandoned in Place Existing Stack

FGD for GH 2 Existing FGD

To be abandoned in Place Existing Stack

Existing Cooling Tower

New FGD

New Stack

FGD and Stack for GH 1

Unit SCR

2-1 Precip.

2-2 Precip.

Unit SCR

Stack for GH 2 & 3

To be abandoned in Place Existing Stack

3-1 Precip.

3-2 Precip.

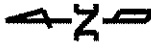
4-1 Precip.

4-2 Precip.

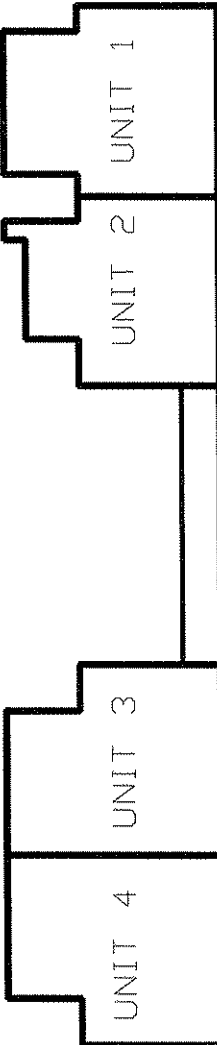
New FGD

New Stack

FGD and Stack for GH 4



OHIO RIVER



Ghent Station