

SOBLE INTERNATIONAL LAW PLLC

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3050 K STREET, NW  
SUITE 400  
WASHINGTON, D.C. 20007-5108

FACSIMILE  
(202) 342-8452

DIRECT LINE: (202) 342-8810

EMAIL: [ssoble@soblelaw.com](mailto:ssoble@soblelaw.com)

January 5, 2007

RECEIVED

JAN 08 2007

PUBLIC SERVICE  
COMMISSION

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

Re: Case no. 2006-00455

via (FedEx Tracking # 858720856231)

Dear Ms. O'Donnell:

Please find enclosed the original and twelve copies of Petition to Intervene of EnviroPower, Inc. filed in the above-referenced matter.

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

Sincerely Yours,



Stephen M. Soble

cc:

Dale Henley

Charles Lile

Michael L. Kurtz

Dennis G. Howard, II

Elizabeth E. Blackford

Lawrence W. Cook

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

**RECEIVED**

JAN 08 2007

PUBLIC SERVICE  
COMMISSION

In the Matter of:

AN INVESTIGATION OF THE FINANCIAL )  
CONDITION OF EAST KENTUCKY POWER ) CASE NO. 2006- 00455  
COOPERATIVE, INC. )

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**PETITION TO INTERVENE OF  
ENVIROPOWER, INC.**

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Pursuant to K.R.S. §278.310 and 807 KAR Section 3(8), EnviroPower, Inc.

("EnviroPower") respectfully requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

1. EnviroPower, a Kentucky corporation, is a legitimate merchant power plant developer in the Commonwealth, approved by the appropriate authorities in the Commonwealth.
2. EnviroPower, by virtue of having been the sole final bidder on two 278 MW power plants which were awarded by East Kentucky Power Cooperative, Inc. ("EKPC") to itself has direct knowledge and unique expertise which has a direct and material bearing on the investigation in the above referenced case.
3. EnviroPower has never been allowed to present the full extent of its knowledge or the full extent of its expertise to Kentucky Public Service Commission in any proceeding.
4. EnviroPower has a unique and legitimate pecuniary interest in the viability of the transmission lines owned and operated by EKPC, as such lines and the prices charged

by EKPC and other service terms will directly and substantially impact the business of EnviroPower in delivering electricity to its customers.

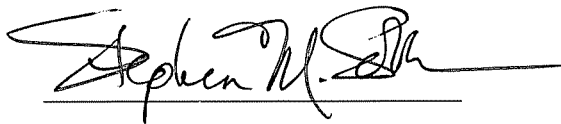
5. EnviroPower has information, which properly vetted through a grant of full intervention, and at a public hearing, if one were to occur, would illustrate how the EKPC self-build awards will cost the rate payers of the Commonwealth well in excess of \$350 Million in overcharges for electricity and will necessarily result in the waste of tens, if not hundreds, of megawatts of generating capacity. Furthermore, the information, based on both direct knowledge of EKPC's operations and plans, and upon expertise in the industry, will illustrate for the commission the potential injury to the transmission system owned, operated and maintained by EKPC, to the detriment of the electric power generating community and ultimately to the ratepayers of the Commonwealth.
6. The matters being decided by the Commission in this case may have a significant impact on the prices and service terms for electric power transmission as well as the rates charged by EKPC for electricity.
7. The attorneys for EnviroPower authorized to represent EnviroPower in this proceeding and to take service of all documents are:

Stephen M. Soble Esq.  
Soble International Law, PLLC  
Troy Reynolds, Esq.  
Kelley, Drye & Warren, LLP  
Suite 400  
3050 K Street, N.W.  
Washington, D.C. 20007-5108  
Telephone: (202) 342-8810, Fax: (202) 342-8452  
E-Mail: [ssoble@soblelaw.com](mailto:ssoble@soblelaw.com); [ssoble@kelleydrye.com](mailto:ssoble@kelleydrye.com)  
[treynolds@kelleydrye.com](mailto:treynolds@kelleydrye.com)

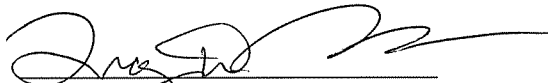
8. The position of EnviroPower cannot be adequately represented by any existing party to this proceeding. EnviroPower intends, and commits itself, to playing a constructive role in the Commission's decision-making process and EnviroPower's participation cannot reasonably be construed to, and will not, unduly prejudice any party.

**WHEREFORE**, EnviroPower respectfully requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,



Stephen M. Soble  
**Soble International Law, PLLC**  
Suite 400  
3050 K Street, N.W.  
Washington, D.C. 20007-5108  
Telephone: (202) 342-8810, Fax: (202) 342-8452  
E-Mail: [ssoble@soblelaw.com](mailto:ssoble@soblelaw.com)  
[ssoble@kelleydrye.com](mailto:ssoble@kelleydrye.com)



Troy Reynolds, Esq.  
**Kelley, Drye & Warren, LLP**  
Suite 400  
3050 K Street, N.W.  
Washington, D.C. 20007-5108  
Telephone: (202) 342-8559, Fax: (202) 342-8452  
E-Mail: [treynolds@kelleydrye.com](mailto:treynolds@kelleydrye.com)

### Certificate of Service

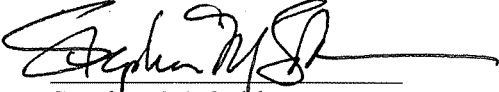
I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by regular U.S. mail to all parties on the 5<sup>th</sup> day of January, 2007.

Dale Henley  
General Counsel  
East Kentucky Power Cooperative, Inc.  
4775 Lexington Road  
P.O. Box 707  
Winchester, KY 40392-0707

Charles A. Lile  
Senior Corporate Counsel  
East Kentucky Power Cooperative, Inc.  
4775 Lexington Road  
P.O. Box 707  
Winchester, KY 40392

Michael L. Kurtz  
Boehm, Kurtz & Lowry  
36 East Seventh Street, Suite 1510  
Cincinnati, OH 45202

Dennis G. Howard, II  
Elizabeth E. Blackford  
Lawrence W. Cook  
Assistant Attorneys General  
1024 Capital Center Drive,  
Suite 200  
Frankfort KY 40601

  
Stephen M. Soble