## BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW 36 EAST SEVENTH STREET SUITE 2110 CINCINNATI, OHIO 45202 TELEPHONE (513) 421-2255 TELECOPIER (513) 421-2764

#### VIA OVERNIGHT MAIL

October 31, 2006

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

# RECEIVED

NOV 0 2 2006

PUBLIC SERVICE COMMISSION

#### Re: Case No. 2006-00455

Dear Ms. O'Donnell:

Please find enclosed the original and twelve copies of Petition to Intervene of Gallatin Steel Company filed in the above-referenced matter.

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

Very Truly Yours,

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Michael L. Kurtz, Esq. **BOEHM, KURTZ & LOWRY** 

MLKkew Attachment CC:

Certificate of Service A. W. Turner, Esq.

#### **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 the 31<sup>st</sup> day of October, 2006.

Mr. Roy M. Palk East Kentucky Power Cooperative, Inc. 4775 Lexington Road P. O. Box 707 Winchester, KY 40392-0707

Hon. Charles A. Lile Senior Corporate Counsel East Kentucky Power Cooperative, Inc. 4775 Lexington Road P. O. Box 707 Winchester, KY 40392 charles.lile@ekpc.com

Hon. Dennis Howard Hon. Betsy Blackford Assistant Attorney General Office of the Attorney General Utility & Rate Intervention Division 1024 Capital Center Drive, Suite 200 Frankfort, KY 40601-8204

Michael L. Kurtz, Esq.

# COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

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In The Matter Of: An Investigation Of The Financial Condition Of East Kentucky Power Cooperative,

Case No. 2006-00455 NOV 0 2 2006 PUBLIC SERVICE COMMISSION

### PETITION TO INTERVENE OF GALLATIN STEEL COMPANY

Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Gallatin Steel Company ("Gallatin") requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

1. Gallatin is the largest end use customer located in the Owen Electric Cooperative ("Owen") service territory. Owen is in turn provided with generation and transmission service by East Kentucky Power Cooperative ("EKPC").

2. The matters being decided by the Commission in this case may have a significant impact on the rates paid by Gallatin for electricity. Electricity represents a significant cost of doing business for Gallatin. The attorneys for Gallatin authorized to represent them in this proceeding and to take service of all documents are:

Michael L. Kurtz, Esq. **BOEHM, KURTZ & LOWRY** 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202 Ph: (513) 421-2255, Fax: (513) 421-2764 E-Mail: <u>mkurtz@BLKlawfirm.com</u> 3. The position of Gallatin cannot be adequately represented by any existing party. Gallatin intends to play a constructive role in the Commission's decision making process herein and Gallatin's participation will not unduly prejudice any party.

WHEREFORE, Gallatin Steel Company requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,

Michael L. Kurtz, Esq. BOEHM, KURTZ & LOWRY 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202 513.421.2255 Fax: 513.421.2764 E: mail: <u>mkurtz@BKLlawfirm.com</u>

## COUNSEL FOR GALLATIN STEEL COMPANY

October 31, 2006