

April 20, 2007

HAND DELIVERED

Ms. Elizabeth O'Donnell
Executive Director
Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Re: PSC Case No. 2006-00472

Dear Ms. O'Donnell:

Please find enclosed for filing with the Commission in the above-referenced case, an original and ten copies of the Response and Objections of East Kentucky Power Cooperative, Inc. to the Cumberland Chapter of Sierra Club Motion to Include Tariffs Related To Qualified Cogeneration and Small Power Production Facilities.

Very truly yours,



Charles A. Lile
Senior Corporate Counsel

Enclosures

Cc: Parties of Record

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COMMISSION**

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

In the Matter of:

**GENERAL ADJUSTMENT OF ELECTRIC)
RATES OF EAST KENTUCKY POWER) CASE NO.
COOPERATIVE, INC.) 2006-00472**

**RESPONSE AND OBJECTIONS OF EAST KENTUCKY
POWER COOPERATIVE, INC., TO CUMBERLAND CHAPTER
OF SIERRA CLUB MOTION TO INCLUDE TARIFFS
RELATED TO QUALIFIED COGENERATION
AND SMALL POWER PRODUCTION FACILITIES**

East Kentucky Power Cooperative, Inc. ("EKPC"), hereby responds and objects to the motion filed by the Cumberland Chapter of the Sierra Club ("Sierra Club") on April 17, 2007, to include in the scope of this case EKPC tariffs relating to the purchase of power from qualified cogeneration and small power production facilities (the "Motion"). The grounds for EKPC's objections are as follows:

1. On February 13, 2007, the Public Service Commission (the "Commission") granted EKPC's request for a deviation from 807 KAR 5:001 Section 10 (1)(b)(7), to dispense with filing requirements relating to those portions of EKPC's tariff that were not affected by its application for rate adjustment. This deviation related to EKPC's tariff for purchases from Qualified Facilities (the "QF Tariff"), and its Emergency Electric Procedures, neither of which were involved in EKPC's proposed rate adjustment, and which the Commission correctly determined were not relevant to this case. (Order, dated February 13, 2007, p. 2-3)

2. The Sierra Club's Motion does not challenge the correctness of the Commission's ruling on EKPC's deviation request. Instead, the Sierra Club is again

seeking to manipulate this case to pursue its own agenda. EKPC initiated this case to adjust its wholesale electric power and energy rates, and did not propose any changes to its QF Tariff. No law or regulation in Kentucky requires a review of cogeneration and small power production facility purchase tariffs as a part of a general rate adjustment case. 807 KAR 5:001 Section 10 contains a multitude of filing requirements for general rate cases, but none specifically directed at any aspect of cogeneration and small power production facility purchase tariffs. The EKPC QF Tariff is irrelevant to this case, and the inclusion of that tariff would in no way be necessary or beneficial to the Commission's consideration of EKPC's general rate adjustment application. On the contrary, the inclusion of that tariff in the case would unduly prolong, complicate and disrupt the proceedings by injecting irrelevant issues and arguments.

WHEREFORE, EKPC formally objects to the Motion of the Sierra Club, and urges the Commission to deny said Motion, for the reasons stated hereinabove.

Respectfully submitted,



DAVID A. SMART



CHARLES A. LILE
ATTORNEYS FOR EAST KENTUCKY
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P. O. BOX 707
WINCHESTER, KY 40392-0707
(859) 744-4812

CERTIFICATE OF SERVICE

This is to certify that an original and ten (10) copies of the foregoing Response and Objections of East Kentucky Power Cooperative, Inc., to Cumberland Chapter of Sierra Club Motion to Include Tariffs Related To Qualified Cogeneration and Small Power Production Facilities in the above-referenced case, were delivered to Elizabeth O'Donnell, Executive Director, Kentucky Public Service Commission, 211 Sower Boulevard, Post Office Box 615, Frankfort, Kentucky 40601, and copies were mailed to parties on the Service List in this case, on this 20th day of April, 2007.



CHARLES A. LILE