## ROBERT L. BROWN III

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ROBERT L. BROWN III JESSICA L. NEWMAN (606) 528-3073 FAX (606) 528-3289

March 26, 2007

Public Service Commission Ms. Beth O'Donnell Executive Director 211 Sower Blvd. P.O. Box 615 Frankfort, KY 40602

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PUBLIC SERVICE COMMISSION

RE: CASE NO. 2006-00556

Dear Ms. O'Donnell:

Enclosed please find an original Motion to Withdraw Application and ten copies as it relates to the above-mentioned matter.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Robert L. Brown III

RLB/ca

**Enclosures** 

## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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MAR 2 8 2007

PUBLIC SERVICE COMMISSION

APPLICATION OF CITIPOWER, LLC FOR AN ADJUSTMENT OF RATES PURSUANT TO THE ALTERNATIVE RATE FILING PROCEDURE FOR SMALL UTILITIES

CASE NO. 2006-00556

## MOTION TO WITHDRAW APPLICATION

Comes the now the undersigned attorney, Robert L. Brown III, and hereby respectfully request that the Public Service Commission allow the Application of Citipower, LLC ("the Utility") for an Adjustment of Rates Pursuant to the Alternative Rate Filing Procedure for Small Utilities ("Citipower Application") to be withdrawn. The Citipower Application was filed pursuant to 807 K.A.R. 5:076 based on estimated 2006 financial records. Since the initial filing of the Citipower Application, the Utility has received the final 2006 financial records and based upon said financial records, the difference between the actual numbers and the estimates numbers are material. Therefore the Utility desires to withdraw the Citipower Application and file a new application at a later date. Due to the nature of this Motion to Withdraw Application the Utility respectfully requests that the First Data Request of the Public Service Commission dated March 16, 2007, be waived.

Respectfully Submitted,

Robert L. Brown III

1005 South Main Street, Suite 101

Corbin, Kentucky 40701 Telephone: (606) 528-3073

## **CERTIFICATE OF SERVICE:**

I hereby certify that the foregoing Motion was served by faxing a copy and by and mailing the original and ten copies thereof, postage prepaid, this day of March, 2007, to the following:

Ms. Beth O'Donnell Executive Director Public Service Commission 211 Sower Blvd. P.O. Box 615 Frankfort, KY 40602

Hon. Gregory D. Stumbo Attorney General 1024 Capital Center Drive Suite 200 Frankfort, Kentucky 40602

Robert L. Brown III