

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE  
COMMISSION

In the Matter of:

THE APPLICATION OF SOUTH KENTUCKY )  
RURAL ELECTRIC COOPERATIVE )  
COOPERATION FOR APPROVAL ) CASE NO. 2007-00374  
TO PURCHASE THE FIXED ASSETS OF )  
THE MONTICELLO ELECTRIC )  
PLANT BOARD, MONICELLO, KY )

ATTORNEY GENERAL'S  
MOTION TO AMEND PROCEDURAL SCHEDULE

Comes now the intervenor, the Attorney General of the Commonwealth of Kentucky ("Attorney General"), by and through his Office of Rate Intervention, and moves the Public Service Commission to amend the procedural schedule in the above captioned matter. As grounds for his motion, the Attorney General states the following.

During the week of October 29 through November 2, the Attorney General was presented materials which *possibly* indicated that the sale by Monticello of its fixed assets of the Electric Plant Board to South Kentucky RECC (hereinafter "SKRECC") may not comply with applicable law. Accordingly, upon learning of the possibility, the Attorney General immediately moved to intervene on November 2. Preparation of discovery requests were expedited with completion of same over the ensuing weekend and submitted to South Kentucky RECC on the following Monday, November 5.

Completion of the discovery by SKRECC, as well as any possible hearing, is essential to demonstrate that the purchase of the fixed assets of Monticello Electric Plant Board Monticello is legal. Otherwise, the transaction could potentially be challenged

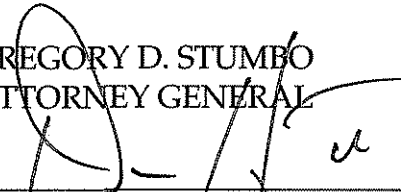
and voided. In such instance, the efforts undertaken by the Commission to approve the purchase will have been for naught.

While the Attorney General understands the importance of the potential underlying transaction at issue and the time frames involved, the demonstration of the legality of the purchase is essential. Any possible prejudice to SKRECC as a consequence of any delays in this case should be trumped by the possibility of the voiding of the transaction at a later time – thus rendering this entire case a nullity.

WHEREFORE, the Attorney General respectfully moves the Commission to amend the procedural schedule as the Commission deems fit in order to afford the Attorney General the opportunity to explore the legality of the underlying transaction by way of discovery as well as participation at any hearing.

Respectfully submitted,

GREGORY D. STUMBO  
ATTORNEY GENERAL

  
DENNIS HOWARD II  
PAUL D. ADAMS  
LAWRENCE W. COOK  
ASSISTANT ATTORNEYS GENERAL  
FRANKFORT KY 40601-8204  
(502) 696-5453  
FAX: (502) 573-8315  
[dennis.howard@ag.ky.gov](mailto:dennis.howard@ag.ky.gov)

**CERTIFICATE OF SERVICE AND NOTICE OF FILING**

I hereby give notice that this the 6th day of November, 2007, I hand-delivered the original and ten copies of the foregoing Attorney General's Motion to Amend Procedural Schedule with the Kentucky Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky, 40601, certify that this same day I have served the parties by mailing a true copy of same, postage prepaid, to:

Honorable Darrell Saunders  
Attorney for SKRECC  
700 Master Street  
P.O. Box 1324  
Corbin, Kentucky 40702, and

Alan Anderson  
Manager  
SKRECC  
P. O. Box 910  
Somerset, KY 42502-0910.



Assistant Attorney General