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#### Via Overnight Mail

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October 12, 2007

PHRES SERVICE COMMISSION

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

#### Re: <u>Case No. 2007-00380</u>

Dear Ms. O'Donnell:

Please find enclosed the original and twelve (12) copies of the PETITION TO INTERVENE OF THE KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC. in the above-referenced matter. By copy of this letter, all parties listed on the Certificate of Service have been served.

Please place this document of file.

Very Truly Yours,

Michael L. Kurtz, Esq. Kurt J. Boehm, Esq. **BOEHM, KURTZ & LOWRY** 

MLKkew Attachment cc: Certificate of Service

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by first-class postage prepaid mail, to all parties on 12<sup>th</sup> day of October, 2007.

Lonnie E. Bellar Vice President - State Regulation Louisville Gas and Electric Company 220 W. Main Street P. O. Box 32010 Louisville, KY 40202

Lawrence W Cook Assistant Attorney General Office of the Attorney General Utility & Rate 1024 Capital Center Drive Suite 200 Frankfort, KY 40601-8204

Honorable Kendrick R Riggs Attorney at Law Stoll Keenon Ogden, PLLC 2000 PNC Plaza 500 W Jefferson Street Louisville, KY 40202-2828

Honorable Allyson K Sturgeon Attorney at Law E.ON U.S. Services, Inc. 220 West Main Street Louisville, KY 40202

Michael L. Kurtz, Esq. Kurt J. Boehm, Esq.

## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

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In The Matter Of: AN EXAMINATION BY THE PUBLIC SERVICE COMMISSION OF THE ENVIRONMENTAL SURCHARGE MECHANISM OF LOUISVILLE GAS & ELECTRIC COMPANY FOR THE SIX-MONTH BILLING PERIOD ENDING OCTOBER 31, 2006 AND FOR THE TWO-YEAR BILLING PERIOD ENDING APRIL 30, 2007

Case No. 2007-00380

PECEVED

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COMMISSION

### PETITION TO INTERVENE OF KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

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

1. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before this Commission and before all other appropriate governmental bodies. The members of KIUC who purchase electricity from Louisville Gas & Electric ("LG&E") and who will participate herein are: Carbide Industries LLC, Ford Motor Company, Arch Chemicals, Kosmos Cement Company and Rohm & Haas Kentucky, Inc. KIUC will supplement its Petition with the names of additional participating members as this information becomes known.

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

> Michael L. Kurtz, Esq. Kurt J. Boehm, Esq. **BOEHM, KURTZ & LOWRY** 36 E. Seventh Street, Suite 1510 Cincinnati, Ohio 45202 Ph: (513) 421-2255, Fax: (513) 421-2765 E-Mail: <u>mkurtz@BKLlawfirm.com</u> <u>kboehm@BKLlawfirm.com</u>

3. The position of KIUC cannot be adequately represented by any existing party. KIUC intends to play a constructive role in the Commission's decision making process herein and KIUC's participation will not unduly prejudice any party.

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

Respectfully submitted,

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Michael L. Kurtz, Esq. Kurt J. Boehm, 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@BKLlawfirm.com</u> kboehm@BKLlawfirm.com

COUNSEL FOR KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

October 12, 2007