## BOEHM, KURTZ & LOWRY

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PUBLIC SERVICE COMMISSION

TELECOPIER (513) 421-2764

Via Overnight Mail

November 1, 2007

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

### Re: <u>Case No. 2007-00381</u>

Dear Ms. O'Donnell:

Please find enclosed the original and twelve (12) copies of the PETITION TO INTERVENE THE KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC. to be filed in the above-referenced matters. 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,

PPhi

David F. Boehm, Esq. Michael L. Kurtz, 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, unless otherwise noted, to all parties on the  $1^{ST}$  day of November, 2007.

Timothy C Mosher President - Kentucky Power American Electric Power 101A Enterprise Drive P. O. Box 5190 Frankfort, KY 40602

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David F. Boehm, Esq. Michael L. Kurtz, Esq.

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PUBLIC SERVICE COMMISSION

#### COMMONWEALTH OF KENTUCKY

### **BEFORE THE PUBLIC SERVICE COMMISSION**

IN THE MATTER OF AN EXAMINATION BY	:	
THE PUBLIC SERVICE COMMISSION OF	:	
THE ENVIRONMENTAL SURCHARGE	:	Case No. 2007-00381
MECHANISM OF KENTUCKY POWER	:	
COMPANY FOR THE SIX-MONTH BILLING	:	
PERIODS ENDING JUNE 30, 2006, AND	:	
<b>DECEMBER 31, 2006, AND FOR THE TWO-</b>	:	
YEAR BILLING PERIOD ENDING JUNE 30,	:	
2007	:	

### 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 will participate herein are: AK Steel Corporation, Air Products & Chemicals, Inc. and Marathon Ashland Petroleum LLC. KIUC will supplement the names of additional intervenors when necessary.

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:

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

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

COUNSEL FOR KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

November 1, 2007