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November 30, 2012

Mr. David J. O'Brien  
BRIDGE Energy Group  
377 Simarano Drive, Suite 360  
Marlborough, MA 01752

RE: Case No. 2012-00428

Dear Mr. O'Brien:

This is to acknowledge receipt of your letter filed on November 5, 2012, requesting leave to intervene in Case No. 2012-00428. Although your letter provides a description of your personal background and experience in grid modernization projects as well as a description of BRIDGE Energy Group, the letter does not provide the Commission with sufficient information with which to make a decision on your request. The standard that the Commission applies in determining a request for full intervention is as follows: (1) a person seeking intervention must have an interest in the rates or service of a utility, since those are the only two subjects under the jurisdiction of the Commission pursuant to KRS 278.040(2); and (2) a person seeking intervention must demonstrate either a special interest in the proceeding which is not otherwise adequately represented in the case or that his or her intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. The second prong is set forth in the Commission's regulations, 807 KAR 5:001, Section 3(8).

Also, it is unclear from the letter whether you are seeking intervention on your own behalf or on behalf of BRIDGE Energy Group. Pursuant to Kentucky law,<sup>1</sup> an individual can intervene on his or her own behalf in an administrative proceeding, but an individual cannot intervene on behalf of someone else, such as a corporation. Representing the interests of another constitutes the practice of law, and only a Kentucky licensed attorney can file a request to intervene for a person not representing his or her own interests. Thus, if BRIDGE Energy Group is the person requesting to intervene in this matter, its intervention must be filed by a Kentucky licensed attorney.

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<sup>1</sup> See, Kentucky Supreme Court Rule 3.020 and *Kentucky State Bar Association v. Henry Vogt Machine Co.*, 416 S.W.2d 727 (Ky. 1967) (practice of law includes the representation of a corporation before a state administrative agency).

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Should you wish to supplement your current request for intervention with the information necessary to satisfy the standard as indicated above, please do so within ten days from the date of this letter.

If you should have any questions, please feel free to contact Quang D. Nguyen, Staff Attorney, at (502) 564-3940, Ext. 256.

Sincerely,



Jeff Derouen  
Executive Director

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