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PUBLIC SERVICE
COMMISSION

July 22, 2013

VIA HAND DELIVERY

Jeff Derouen
Kentucky Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, KY 40602-0615

**Re: *Joint Application of Kenergy Corp.*)
 and Big Rivers Electric Corporation)
 for Approval of Contract and for a) *Case No. 2013-00221*
 Declaratory Order)**

Dear Mr. Derouen:

Enclosed is one (1) original and ten (10) copies of Kenergy Corp. and Big Rivers Electric Corporation's Motion to Strike Comments of Ben Taylor and Sierra Club in the above-referenced matter.

I certify that on this date a copy of these documents has been served on all persons on the attached service list by Federal Express.

Sincerely,


Edward T. Depp

ETD/lb
Enclosures

cc: Mark A. Bailey
 Billie J. Richert

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PSC Case No. 2012-00221

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COMMISSION

1 COMMONWEALTH OF KENTUCKY
2 BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY
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5 In the Matter of:

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7 Joint Application of Kenergy Corp.)
8 and Big Rivers Electric Corporation) Case No. 2013-00221
9 for Approval of Contracts and for)
10 A Declaratory Order)
11
12

13 MOTION TO STRIKE COMMENTS OF BEN TAYLOR AND SIERRA CLUB
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15 Kenergy Corp. (“Kenergy”) and Big Rivers Electric Corporation (“Big
16 Rivers”), by counsel, hereby move the Public Service Commission of the
17 Commonwealth of Kentucky (the “Commission”) to strike the July 19, 2013
18 comments (“Comments”) of Ben Taylor and Sierra Club (the “Sierra Club”).

19 In support of their motion, Kenergy and Big Rivers state as follows.

20 On July 1, 2013, the Sierra Club moved to intervene in this matter.

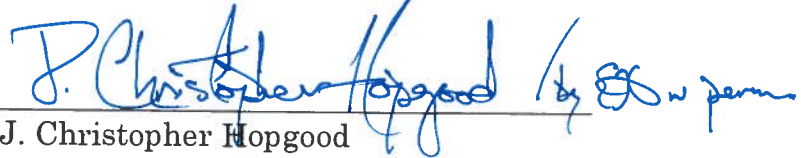
21 On July 8, Big Rivers objected to the Sierra Club’s intervention. The
22 Commission denied Sierra Club’s motion to intervene by order dated July 19,
23 2013 (the “Order”). The Order was posted almost simultaneously with Sierra
24 Club’s filing of its “Comments.” The June 28, 2013 procedural order allows
25 comments or testimony from “Intervenors,” only. Because Sierra Club was
26 denied intervention, it has no intervenor status, and it should not be
27 permitted to file comments or testimony.

1 For all the foregoing reasons, Kenergy and Big Rivers respectfully
2 request that the Commission strike Sierra Club's Comments from the case
3 record in this matter.

4 On this the 22nd day of July, 2013.

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Respectfully submitted,



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Counsel for Kenergy Corp.



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CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing motion has been served by Federal Express upon the persons listed on the attached service list, on the date this motion is filed with the Kentucky Public Service Commission or the following day. The inclusion of any individual or entity in this service list does not constitute a concession that the individual or entity is, or should be, a party to this proceeding.

On this the 22nd day of July, 2013,



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