

# Goss ■ Samford PLLC



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October 20, 2014

RECEIVED

OCT 20 2014

PUBLIC SERVICE  
COMMISSION

***Via Hand-Delivery***

Mr. Jeffrey Derouen  
Executive Director  
Kentucky Public Service Commission  
P.O. Box 615  
211 Sower Boulevard  
Frankfort, KY 40602

Re: In the Matter of: An Application of East Kentucky Power Cooperative, Inc. for a Certificate of Public Convenience and Necessity for Construction of an Ash Landfill at J. K. Smith Station to Receive Impounded Ash from William C. Dale Station, and for Approval of a Compliance Plan Amendment for Environmental Surcharge Recovery  
PSC Case No. 2014-00252

Dear Mr. Derouen:

Enclosed please find for filing with the Commission in the above-referenced case an original and ten (10) copies of East Kentucky Power Cooperative, Inc.'s Notice of Withdrawal regarding the above-styled matter. Please return a file-stamped copy to me.

Do not hesitate to contact me if you have any questions.

Very truly yours,

David S. Samford

Enclosures

M:\Clients\4000 - East Kentucky Power\1450 - Dale Ash Landfill  
CPCN\Correspondence\Ltr. to Jeff Derouen - 141020

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

IN THE MATTER OF:

OCT 20 2014

PUBLIC SERVICE  
COMMISSION

AN APPLICATION OF EAST KENTUCKY )  
POWER COOPERATIVE, INC. FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY FOR CONSTRUCTION OF AN )  
ASH LANDFILL AT J. K. SMITH STATION TO )  
RECEIVE IMPOUNDED ASH FROM WILLIAM )  
C. DALE STATION, AND FOR APPROVAL OF A )  
COMPLIANCE PLAN AMENDMENT FOR )  
ENVIRONMENTAL SURCHARGE RECOVERY )

CASE NO.  
2014-00252

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**EAST KENTUCKY POWER COOPERATIVE, INC.’S NOTICE OF  
WITHDRAWAL OF MOTION FOR AN EXTENSION OF TIME TO  
RESPOND TO GRAYSON RURAL ELECTRIC COOPERATIVE’S  
MOTION FOR LEAVE TO INTERVENE**

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Comes now East Kentucky Power Cooperative, Inc. (“EKPC”), by and through counsel, and hereby gives notice of its withdrawal of its Motion for an Extension of Time to Respond to the Motion for Leave to Intervene, filed by Grayson Rural Electric Cooperative Corporation (“Grayson”) in this matter, respectfully stating as follows:

On October 3, 2014, Grayson filed a motion for leave to intervene in this matter. On October 10, 2014, EKPC filed a motion for an extension of time to respond to Grayson’s motion on the basis that a meeting may have been productive in reaching a resolution with regard to pending matters involving EKPC and Grayson. On October 17, 2014, one day after the referenced meeting took place, Grayson filed a response to EKPC’s motion for an extension of time that claimed EKPC’s motion “is premised upon a false, misleading, and is [sic] wholly

insufficient assertion” but Grayson did not specify as to which assertion it was referring. In light of Grayson’s response, EKPC has determined that it will not file a formal response to Grayson’s motion for leave to intervene. While EKPC hopes for a resolution of disputes, addressing the many issues raised in Grayson’s motion for leave to intervene would likely make such a resolution more difficult. EKPC expressly reserves the right to rebut and challenge the assertions made in Grayson’s motion in the course of the proceeding, as may be necessary.

This 20<sup>th</sup> day of October 2014.

Respectfully submitted,



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*Counsel for East Kentucky Power Cooperative, Inc.*

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing was served by depositing same into the custody and care of the U.S. Postal Service, postage pre-paid, on this the 20<sup>th</sup> day of October, 2014, addressed to the following:

W. Jeffrey Scott  
W. Jeffrey Scott, PSC  
P. O. Box 608  
Grayson, KY 41143

Gregory T. Dutton  
Assistant Attorney General  
Office of the Attorney General Utility & Rate  
1024 Capital Center Drive, Suite 200  
Frankfort, KY 40601-8204



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*Counsel for East Kentucky Power Cooperative, Inc.*