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PUBLIC SERVICE  
COMMISSION

**THE ELK HORN COAL COMPANY, LLC  
544 SOUTH LAKE DRIVE  
PRESTONSBURG, KY 41653**

**PHONE NO.: (606) 886-2330**

**FAX NO.: (606) 886-2348**

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December 18, 2015

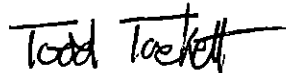
Mr. Jeff Derouen, Executive Director  
Public Service Commission of Kentucky  
P.O. Box 215  
Frankfort, Kentucky 40602-0615

RE: Case No. 2015-00231  
East Kentucky Network LLC Mud Creek Site, Floyd County

Dear Sir:

Please refer to our letter of August 7, 2015 which informed the PSC of the basis of Elk Horn's interest in this matter. Upon further discussions with EKN, the parties have reached an amicable resolution of this matter. Accordingly, Elk Horn hereby informs the PSC of its election not to intervene herein, and further, that it waives any right to do so.

Very Truly Yours,



Todd Tackett  
Chief Geologist