

201 Third Street P.O. Box 24 Henderson, KY 42419-0024 270-827-2561 www.bigrivers.com

RECEIVED

JUL 3 0 2018

PUBLIC SERVICE COMMISSION

July 27, 2018

Ms. Gwen R. Pinson Executive Director Public Service Commission

211 Sower Boulevard, P.O. Box 615 Frankfort, Kentucky 40602-0615

VIA OVERNIGHT DELIVERY

## Re: In the Matter of: Notice of Termination of Contracts and Application of Big Rivers Electric Corporation for a Declaratory Order and for Authority to Establish a Regulatory Asset—Case No. 2018-00146

Dear Ms. Pinson:

At the oral argument held on July 26, 2018, in the above-referenced matter, the Public Service Commission directed each of the parties to submit a letter or other pleading stating whether the party objects to the Commission entering a final order based on the existing record granting partial relief on Big Rivers' application while continuing the proceedings with respect to Big Rivers' request for authority to establish a regulatory account. In response, Big Rivers Electric Corporation states that it has no objection to the Commission issuing a final order on Big Rivers' requests that the Commission:

- find that (a) the Station Two units are no longer capable of normal, continuous, reliable operation for the economically competitive production of electricity, and (b) as a result, the Terminated Contracts (as defined in Big Rivers' application) terminated as of May 1, 2018; and
- 2. authorize Big Rivers to continue to operate Station Two under the terms of the Station Two Contracts for a period up to and including May 31, 2019.

I certify that, on this date, copies of this letter were served on each of the persons listed on the attached service list by electronic mail.

Please confirm the Commission's receipt of this information by placing the Commission's date stamp on the enclosed additional copy of this letter and Ms. Gwen R. Pinson July 27, 2018 Page 2

returning it to Big Rivers in the self-addressed, postage paid envelope provided; and please feel free to contact me with any questions you may have about this filing.

Sincerely,

222 <

Tyson Kamuf Corporate Attorney, Big Rivers Electric Corporation

cc: Service list

## **BIG RIVERS ELECTRIC CORPORATION**

## NOTICE OF TERMINATION OF CONTRACTS AND APPLICATION OF BIG RIVERS ELECTRIC CORPORATION FOR A DECLARATORY ORDER AND FOR AUTHORITY TO ESTABLISH A REGULATORY ASSET CASE NO. 2018-00146

Service List

Hon. Kent A. Chandler Hon. Justin M. McNeil Hon. Lawrence W. Cook Hon. Rebecca Goodman Assistant Attorneys General 700 Capital Avenue Capital Building, Suite 20 Frankfort, KY 40601-3415 Kent.Chandler@ky.gov Justin.McNeil@ky.gov Larry.Cook@ky.gov Rebecca.Goodman@ky.gov Phone: 502-696-5453; Fax: 502 573-1005 Michael L. Kurtz, Esq. Kurt J. Boehm, Esq. Jody Kyler Cohn, Esq. Boehm, Kurtz & Lowry 36 E. Seventh St., Suite 1510 Cincinnati, OH 45202-4454 <u>MKurtz@BKLlawfirm.com</u> <u>KBoehm@BKLlawfirm.com</u> <u>JKylerCohn@BKLlawfirm.com</u> <u>Phone</u>: 513-421-2255; <u>Fax</u>: 513-421-2764