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September 8, 2005

RECEIVED

SEP 9 2005

POST OFFICE
LONDON KY

Ms. Beth O'Donnell
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602

**RE: Ballard Rural Telephone Cooperative, Inc.
-vs-
Jackson Purchase Energy Corporation
PSC Case No. 2004-0036**

Motion for Leave to Intervene of Jackson Energy Cooperative

Dear Ms. O'Donnell:

Please find enclosed herewith an original and ten (10) copies of the motion by Jackson Energy Cooperative Corporation to fully intervene in the above styled action. I have also enclosed an additional copy for file-stamping, which I ask that you return in the enclosed self-addressed stamped envelope.

Please feel free to call if you have any questions or concerns.

With kindest regards.

Sincerely,



Clayton O. Oswald

COO/rlc

Enclosure: motion for leave to intervene, SASE

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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SEP 9 2005

PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:)

BALLARD RURAL TELEPHONE)
COOPERATIVE CORPORATION, INC.)

PSC Case No.
2004-00036

-vs-)

JACKSON PURCHASE ENERGY CORPORATION)

**MOTION OF JACKSON ENERGY COOPERATIVE CORPORATION
FOR LEAVE TO INTERVENE**

Comes now Jackson Energy Cooperative Corporation ("Jackson Energy"), by and through the undersigned counsel, pursuant to 807 KAR 5:001, Section 3(8), and hereby moves the Kentucky Public Service Commission for leave to fully intervene in the above styled proceeding. In support of its petition, Jackson Energy states as follows:

1. On February 2, 2004, Ballard Rural Telephone Cooperative filed a formal complaint with the PSC, alleging that Jackson Purchase Energy had refused to provide Ballard Rural Telephone with pole attachment rights at fair, just, reasonable, and nondiscriminatory rates, in violation of KRS 278.030 (1) - (2).

2. Subsequent to filing of said formal complaint, Ballard Rural Telephone also filed with the PSC, in this case, a motion to apply CTAT rates to Ballard Rural Telephone. The basis of this motion was that Jackson Purchase Energy should not be able to charge Ballard Rural Telephone higher rates for pole attachments than it charges

cable operators, which rates are governed by tariffs filed with the PSC.

3. The gravamen of Ballard Rural Telephone's argument for the application of CTAT rates is that Section Two of the Kentucky Constitution prohibits such differing rates, as an arbitrary exercise of power.

4. Jackson Energy, like Jackson Purchase Energy, is a rural electric cooperative duly authorized to provide electrical service to its members in the Commonwealth of Kentucky.

5. Jackson Energy, as a rural electric cooperative, has numerous agreements, similar to the agreement between Jackson Purchase Energy and Ballard Rural Telephone, for pole attachments with various telephone service providers, as well as various cable television providers.

6. Jackson Energy respectfully submits that Ballard Rural Telephone's complaint and motion may have a direct and material effect upon the legal rights, duties, privileges, immunities, or other legal interests of Jackson Energy. Jackson Energy has a substantial interest in a PSC determination of the issues raised, in that if the PSC grants Ballard Rural Telephone's motion on the basis of the Kentucky Constitution, Jackson Energy will likewise be bound by such a ruling.

7. The PSC's grant of full intervenor status to Jackson Energy is likely to present issues or develop facts that facilitate the PSC's full consideration of this matter without unduly complicating or disrupting the proceedings.

8. Jackson Energy respectfully requests that it be granted leave for full intervention with the right to fully participate in this proceeding as a party, and that the undersigned counsel for Jackson Energy be served with filed testimony, exhibits,

pleadings, correspondence, and all other documents submitted by parties and be certified as a party for the purposes of receiving service of any petition for rehearing or judicial review.

WHEREFORE, in recognition of the foregoing, Jackson Energy respectfully request that the Kentucky Public Service Commission allow Jackson Energy to intervene fully as a party of record in this proceeding.

Respectfully submitted by,

TAYLOR, KELLER, DUNAWAY & TOOMS PLLC



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Hon. J. Warren Keller
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Attorneys for Jackson Energy Cooperative

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a true and correct copy of the foregoing motion for leave to intervene was served by mailing a copy of same to the following:

Original and Ten Copies:

Kentucky Public Service Commission
Ms. Beth O'Donnell, Executive Director
211 Sower Boulevard
Frankfort, Kentucky 40602

(via certified mail)

Copies To:


Hon. Frank N. King, Jr.
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Paducah, Kentucky 42002-0929 (via first class mail)

On this the 8th day of September, 2005.



Attorney for Jackson Energy Cooperative