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**VIA OVERNIGHT MAIL**

January 7, 2005

RECEIVED

JAN 10 2005

PUBLIC SERVICE  
COMMISSION

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

**Re: Case No. 2004-00426**

Dear Ms. O'Donnell:

Please find enclosed the original and twelve copies of Petition to Intervene of Kentucky Industrial Utility Customers, Inc., filed in the above-referenced matter.

By copy of this letter, all parties listed on the attached Certificate of Service been served. Please place this document of file.

Very Truly Yours,



Michael L. Kurtz, Esq.  
**BOEHM, KURTZ & LOWRY**

MLKkew  
Attachment

cc: Certificate of Service  
Richard Raff, Esq.

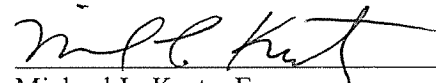
**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by regular U.S. mail (unless otherwise noted) to all parties on the 7<sup>th</sup> day of January, 2005.

Honorable Elizabeth E. Blackford  
Assistant Attorney General  
Office of the Attorney General  
Utility & Rate Intervention Division  
1024 Capital Center Drive, Suite 200  
Frankfort, KY 40601-8204  
[betsy.blackford@law.state.ky.us](mailto:betsy.blackford@law.state.ky.us)

Mr. Kent W. Blake  
Director State Regulations and Rates  
Louisville Gas and Electric Company  
220 W. Main Street  
P. O. Box 32010  
Louisville, KY 40232-2010  
[kent.blake@lgeenergy.com](mailto:kent.blake@lgeenergy.com)

Honorable Elizabeth L. Cocanougher  
Senior Corporate Attorney  
Louisville Gas and Electric Company  
220 W. Main Street  
P. O. Box 32010  
Louisville, KY 40232-2010

  
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Michael L. Kurtz, Esq.

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PUBLIC SERVICE  
COMMISSION

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In The Matter Of: Application Of Kentucky Utilities Company : Case No. 2004-00426  
For A Certificate Of Public Convenience And Necessity To Construct :  
Flue Gas Desulphurization Systems And Approval Of Its 2004 :  
Compliance Plan For Recovery By Environmental Surcharge :

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**PETITION TO INTERVENE  
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.**

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Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Kentucky Industrial Utility Customers, Inc. ("KIUC") requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

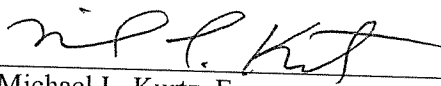
1. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before this Commission and before all other appropriate governmental bodies. The members of KIUC who purchase electricity from Kentucky Utilities Company ("KU") and who will participate herein are: Bundy, Clopay Plastic Products Company, Dow Corning Corporation, Lexmark International, Square D Company, Toyota Motor Manufacturing, North America, Inc., and MeadWestvaco. KIUC will supplement its Petition with the names of additional participating members as this information becomes known.
2. The matters being decided by the Commission in this case may have a significant impact on the rates paid by KIUC for electricity. Electricity represents a significant cost of doing business for KIUC. The attorneys for KIUC authorized to represent them in this proceeding and to take service of all documents are:

David F. Boehm, Esq.  
Michael L. Kurtz, Esq.  
**BOEHM, KURTZ & LOWRY**  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
Ph: (513) 421-2255, Fax: (513) 421-2764  
E-Mail: [KIUC@BKLLawfirm.com](mailto:KIUC@BKLLawfirm.com)

3. The position of KIUC cannot be adequately represented by any existing party. KIUC intends to play a constructive role in the Commission's decision making process herein and KIUC's participation will not unduly prejudice any party.

**WHEREFORE**, KIUC requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,



Michael L. Kurtz, Esq.

**BOEHM, KURTZ & LOWRY**

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**COUNSEL FOR KENTUCKY INDUSTRIAL  
UTILITY CUSTOMERS, INC.**

January 7, 2005