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**RECEIVED**  
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PUBLIC SERVICE  
COMMISSION

**VIA OVERNIGHT MAIL**

December 6, 2004

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

**Re: Case No. 2004-00446**

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 these documents of file.

Very Truly Yours,



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

MLKkev  
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 12 day of December, 2004.

Honorable Frank N. King, Jr.  
Dorsey, King, Gray, Norment & Hopgood  
318 Second Street  
Henderson, KY 42420  
[fking@dkgnlaw.com](mailto:fking@dkgnlaw.com)

Honorable Elizabeth E. Blackford  
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)

  
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Michael L. Kurtz, Esq.

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

DEC 07 2004

PUBLIC SERVICE  
COMMISSION

In The Matter Of: The Application of Kenergy Corp.  
Adjustment of Existing Rates

:  
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Case No. 2004-00446

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PETITION TO INTERVENE OF  
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:

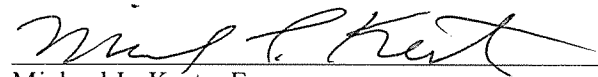
1. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before this Commission and before all other appropriate governmental bodies. The members of KIUC who take electric distribution service from Kenergy who will participate herein are: Alcan Aluminum, Century Aluminum, Commonwealth Aluminum Corporation, Kimberly Clark Corporation and Weyerhaeuser. 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 member companies for electricity. Electricity represents a significant cost of doing business for KIUC members. The attorneys for KIUC authorized to represent them in this proceeding and to take service of all documents are:

Michael L. Kurtz, Esq.  
**BOEHM, KURTZ & LOWRY**  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
Ph: 513.421.2255 Fax: 513.421.2764  
[mkurtz@BKLLawfirm.com](mailto:mkurtz@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.**

December 6, 2004