

COMMONWEALTH OF KENTUCKY  
BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION

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In the Matter of:

PUBLIC SERVICE  
COMMISSION

JOINT APPLICATION OF LOUISVILLE GAS )  
AND ELECTRIC COMPANY AND KENTUCKY )  
UTILITIES COMPANY FOR A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY, )  
AND A SITE COMPATIBILITY CERTIFICATE, )  
FOR THE EXPANSION OF THE TRIMBLE )  
COUNTY GENERATING STATION )

CASE NO.: 2004-00507

MOTION TO INTERVENE  
BY IBEW, LOCAL 2100 AND  
GREATER LOUISVILLE BUILDING  
AND CONSTRUCTION TRADES COUNCIL

MOTION FOR LEAVE TO FILE DATA REQUESTS

Come the parties, International Brotherhood of Electrical Workers, Local 2100 (IBEW) and the Greater Louisville Building and Construction Trades Council (Trades Council), and move for full intervenor status in this action pursuant to 807 KAR 5:001(8). The IBEW represents employees of Louisville Gas & Electric that do the maintenance and power production activities for the Company, currently representing approximately 750 employees. The Trades Council is a 501(c)(5) organization made up of affiliated building and construction trades unions.

The parties seek full intervenor status as the employees represented by IBEW, and the workers represented by the Trades Council, share a common interest with the public and other parties in the quality of service, economy and safety of all projects involving LG&E. The IBEW brings to the proceedings particular expertise arising from actual involvement in all operational aspects of the utility, and can make a valuable contribution to the understanding, clarification and development of issues that fall within the Commission's regulatory authority.

The IBEW has historically been granted full intervenor status in significant PSC cases involving LG&E, and has participated in the discovery and hearing processes of those cases. In particular, the IBEW participated in all phases of LG&E's Joint Application of LG&E and KU for Approval of Merger, Case 97-300; the subsequent consolidated rate cases 98-426 and 98-474, and

subsequent proceedings regarding the sale of LG&E to PowerGen, and the acquisition of PowerGen and LG&E by German owned E.on (Case No. 2001-104).

The Trades Council represents various building and construction trade affiliates that include the following: Boilermakers; Bricklayers; Carpenters; Electrical Workers; Elevator Constructors; Glaziers; Insulators; Asbestos Workers; Iron Workers; Laborers; Operating Engineers; Pipefitters; Plumbers; Plasterers and Cement Masons; Sprinkler Fitters; Roofers; Sheet Metal Workers and Teamsters.

The Trades Council collectively represents approximately 10,000 Kentucky workers. It is this group of workers that is the repository of collective skill, trade and technical knowledge that is utilized for major construction projects. The Trades Council has historically performed the major utility construction work in the area under the auspices of project labor agreements with Cinergy, Eastern Kentucky Power, TVA and utilities in Western Kentucky. The Trades Council affiliates are currently involved in the installation of a scrubber at Clifty Creek in Indiana, and have been involved in the construction of Spurlock Station for Eastern Kentucky Power, TVA work at Kentucky Dam, the Cash Creek Project in Henderson and numerous other capital construction projects.

The IBEW and Trades Council will concentrate on the issue of insuring that the economic benefits of the construction project are enjoyed by LG&E rate payers, and their local communities, by the utilization of a workforce drawn exclusively from the Kentuckiana region. The publicity surrounding the announcement of the Trimble County Project, as well as the testimony of LG&E witnesses, tout the positive economic impact that the project will have. A construction project of this magnitude, stretching over several years, will pump millions of dollars of payroll, taxes and spending power into the economy. Yet all this presumes that the construction and related work will be done by contractors and vendors that utilize employees drawn from the local area. Unfortunately, the experience of the Trades Council is that general contractors will secure the job bid through labor costs that are premised on the importation of out of state workers. By securing

the cheapest labor possible, and capitalizing on difficult economic circumstances in surrounding states, Kentucky workers can be robbed of the opportunity to earn the wages and benefits of the Trimble County Project, while itinerant out of state workers perform the work and export the major economic benefit out of state.

It is the intention of the IBEW and Trades Council to develop this point through expert testimony and to seek the Commission's Order that any construction contract secure the construction and related work to the economic benefit of the local area. If LG&E rate payers are expected to underwrite the construction project through CWIP, and to ultimately indemnify LG&E for the Plant through rate adjustments, the economic benefit of the project must inure to the enrichment of the communities and citizens whom LG&E is statutorily pledged to serve.

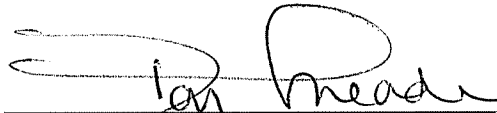
Full intervention status should be granted both parties.

**MOTION FOR LEAVE  
TO FILE DATA REQUESTS**

The IBEW and Trades Council move for leave to file appropriate data requests to LG&E/KU on its application and direct testimony. The original filing date was February 10. The IBEW and Trades Council request leave to file data requests no later than seven days from the date the Commission's Order granting intervention is served upon them.

Respectfully submitted,

PRIDDY, ISENBERG, MILLER & MEADE, PLLC

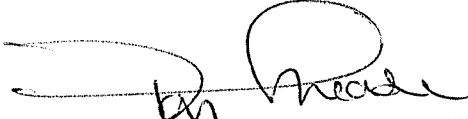


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**CERTIFICATE OF SERVICE**

It is hereby certified that on the 18<sup>th</sup> day of February, 2005, an original and 10 copies of the foregoing motion was mailed to the Public Service Commission, P. O. Box 615, 211 Sower Blvd., Frankfort, KY 40602-0615, and a true copy thereof was mailed to the attached service list.

  
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