### **BOEHM, KURTZ & LOWRY**

ATTORNEYS AT LAW 36 EAST SEVENTH STREET SUITE 1510 CINCINNATI, OHIO 45202 TELEPHONE (513) 421-2255

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#### VIA OVERNIGHT MAIL

January 7, 2005

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

JAN 1 0 2005

PUBLIC SERVICE COMMISSION

Re:

Case No. 2004-00507

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

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

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

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

Michael L. Kurtz, Esq.



# COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

JAN 1 0 2005

PUBLIC SERVICE COMMISSION

In The Matter Of: Joint Application Of Louisville Gas & 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

## PETITION TO INTERVENE OF KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

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 Louisville Gas & Electric Company ("LG&E") and who will participate herein are: Carbide Industries LLC., E.I. DuPont de Nemours & Company, Ford Motor Company, Kosmos Cement Company, Rohm & Haas Company, General Electric-Appliance Park, Lexmark International, Inc., Square D. Company, Clopay Plastic Products Company, Inc., Dow Corning Corporation, Toyota Motor Manufacturing, NA, 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

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,

David F. Boehm, Esq. Michael L. Kurtz, Esq.

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COUNSEL FOR KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

January 7, 2005