**Ernie Fletcher** Governor

LaJuana S. Wilcher, Secretary **Environmental and Public Protection Cabinet** 

Christopher L. Lilly Commissioner **Department of Public Protection** 



Commonwealth of Kentucky **Public Service Commission** 

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July 27, 2006

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

RE: Case No. 2005-00053

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

Beth O'Donnell **Executive Director** 

BOD/jc **Enclosure** 

KentuckyUnbridledSpirit.com



Mark David Goss

Chairman

Teresa J. Hill

Vice Chairman

**Gregory Coker** 

Commissioner

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

Honorable Charles A. Lile Senior Corporate Counsel East Kentucky Power Cooperative, Inc. 4775 Lexington Road P. O. Box 707 Winchester, KY 40392-0707 Honorable Brent L. Caldwell Attorney McBrayer, McGinnis, Leslie and Kirkland, PLLC 201 East Main Street Suite 1000 Lexington, KY 40507 Honorable Michael L. Kurtz Attorney at Law Boehm, Kurtz & Lowry 36 East Seventh Street 2110 CBLD Building Cincinnati, OH 45202

#### COMMONWEALTH OF KENTUCKY

#### BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF EAST KENTUCKY POWER	)	
COOPERATIVE, INC. FOR A CERTIFICATE OF	)	
PUBLIC CONVENIENCE AND NECESSITY, AND A	)	CASE NO.
SITE COMPATIBILITY CERTIFICATE FOR THE	)	2005-00053
CONSTRUCTION OF A 278 MW (NOMINAL)	)	
CIRCULATING FLUIDIZED BED COAL FIRED UNIT	)	
AND FIVE 90 MW (NOMINAL) COMBUSTION	)	
TURBINES IN CLARK COUNTY, KENTUCKY	)	

## ORDER

On July 26, 2006, East Kentucky Power Cooperative, Inc. ("East Kentucky") filed a Revised Site Assessment Report ("Report") in support of its application for authority to construct new generating facilities at the Smith Generating Plant in Clark County, Kentucky.

Based on a review of that Report and being otherwise sufficiently advised, the Commission HEREBY ORDERS that:

- 1. East Kentucky shall file, no later than August 7, 2006, an original and five copies of its responses to the information request set forth in Appendix A, attached hereto and incorporated herein by reference.
- 2. Any comments on the Report, or a request for a hearing, shall be filed no later than August 14, 2006.
- 3. In the absence of any comments on the Report, or a request for a hearing, this case shall stand submitted based on the existing evidence of record.

Done at Frankfort, Kentucky, this 27th day of July, 2006.

By the Commission

ATTEST.

ATTEST.

Executive Director

### APPENDIX A

# APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2005-00053 DATED July 27, 2006.

1. Refer to the Site Assessment Report For Kentucky Pioneer Energy, dated February 6, 2003. On pages C-31 and D-1, there are discussions of recommendations to mitigate traffic congestion. The mitigation measures included the addition of turning lanes and a traffic signal at the intersection of the site access road and Kentucky Highway 89, and widening the access road to four lanes or installing directional controls during peak usage of the road. The Revised Site Assessment Report filed on July 26, 2006 does not include a discussion of these prior traffic mitigation measures. Explain in detail whether the prior traffic mitigation measures have already been implemented or, if not, why there is no longer a need to implement such measures.