

# FAX TRANSMISSION

SULLIVAN, MOUNTJOY, STAINBACK & MILLER, P.S.C.

100 ST. ANN BLDG., PO BOX 727  
OWENSBORO, KENTUCKY 42302-0727  
(270) 926-4000  
FAX: (270) 683-6694

**RECEIVED**

APR 30 2007

PUBLIC SERVICE  
COMMISSION

**To:** Elizabeth O'Donnell  
Executive Director

**Date:** April 30, 2007

**Fax #:** (502) 564-3460

**Pages:** 3, including this cover sheet.

**From:** James M. Miller

**Subject:** Big Rivers Electric Corporation

**Confidentiality Note:** The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this message is strictly prohibited. If you have received this message in error, please immediately notify us by telephone and return the original message to us at the above address via the United States Postal Service.

---

**COMMENTS:**

If you have difficulty with this transmission, please contact Elaine Johnson at (270) 926-4000.

SULLIVAN, MOUNTJOY, STAINBACK & MILLER PSC  
ATTORNEYS AT LAW

RECEIVED

APR 30 2007

PUBLIC SERVICE  
COMMISSION

April 30, 2007

Via facsimile and regular mail

Ms. Elizabeth O'Donnell  
Executive Director  
Public Service Commission  
211 Sower Boulevard, P.O. Box 615  
Frankfort, Kentucky 40602-0615

Re: In the Matter of: The Application of East Kentucky Power Cooperative, Inc. for a Certificate of Public Convenience and Necessity to Construct a 161 KV Transmission Line in Barren, Warren, Butler, and Ohio Counties, Kentucky, Case No. 2005-00207

- Ronald M. Sullivan
- Jesse T. Mountjoy
- Frank Stainback
- James M. Miller
- Michael A. Fiorella
- William R. Dexter
- Allen W. Holbrook
- R. Michael Sullivan
- Bryan R. Reynolds
- Tyson A. Kamuf
- Mark W. Starnes
- Julia H. Gordon
- C. Ellsworth Mountjoy
- Susan Montolvo-Gesser

Dear Ms. O'Donnell:

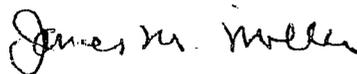
This letter is written to respond to your memorandum of April 23, 2007, attaching a memorandum of the informal conference held April 12, 2007, and asking for any comments regarding that memorandum.

On page 2 of the memorandum, the last sentence in the first paragraph reads:

“Counsel for Big Rivers conceptually agreed with Staff’s assessment and said that Big Rivers would file a separate application pursuant to KRS 278.020 to obtain a new CPCN.”

I believe what I said was that Staff’s assessment may well be correct, but that one reason for the request that the case be held in abeyance for sixty days was to allow Big Rivers to determine what use could be made of the proceedings held to date to avoid duplication of expense and effort. One alternative Big Rivers is studying is whether and to what extent, a CPCN can be assigned. I did say that any application regarding the transmission project required pursuant to KRS 278.020 would be filed separately from the anticipated application in Big Rivers’ “unwind transaction.” A copy of this letter has been served upon all parties of record in this proceeding.

Sincerely yours,



James M. Miller

JMM/ej

cc: Parties of Record  
David Spainhoward

Telephone (270) 926-4000  
Telecopier (270) 683-6694

100 St. Ann Building  
PO Box 727  
Owensboro, Kentucky  
42302-0727

Service List  
PSC Case No. 2005-00207

H.H. Barlow, III  
500 Salem Church Road  
Cave City, KY 42127

John H. Colliver  
633 Salem Church Rd  
Cave City, KY 42127

Sherman Goodpaster III  
East Kentucky Power Cooperative, Inc.  
4775 Lexington Road  
P.O. Box 707  
Winchester, KY 40392-0707

Hon. Robert W. Griffith  
Attorney at Law  
Stites & Harbison, PLLC  
1800 Aegon Center  
400 W. Market Street  
Louisville, KY 40202

Hugh Hendrick  
4140 Scottsville Road  
Smiths Grove, KY 42171

Joey Roberts  
4234 Scottsville Road  
Smiths Grove, KY 42171

Carroll & Doris Tichenor  
1086 Annis Ferry Road  
Morgantown, KY 42261

Maria F. Scheller  
Director, Vice President  
ICF Resources, LLC  
9300 Lee Highway  
Fairfax, VA 22031

Kenneth Collison  
ICF Resources, LLC  
9300 Lee Highway  
Fairfax, VA 22031

Kojo Ofori-Atta  
ICF Resources, LLC  
9300 Lee Highway  
Fairfax, VA 22031