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COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

THE APPLICATION OF EAST KENTUCKY)
POWER COOPERATIVE, INC. FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY FOR) CASE NO
FOR THE CONSTRUCTION OF A 161 kV ELECTRIC) 2005-00207
TRANSMISSION PROJECT IN BARREN, WARREN,)
BUTLER, AND OHIO COUNTIES, KENTUCKY)

**APPLICANT'S RESPONSE TO INTERVENORS
CARROLL AND DORIS TICHENOR'S
AMENDED FIRST DATA REQUEST
TO COMMISSION STAFF DATED AUGUST 3, 2005**

EAST KENTUCKY POWER COOPERATIVE, INC.

PSC CASE NO. 2005-00207

INFORMATION REQUEST RESPONSE

INTERVENORS CARROLL & DORIS TICHENOR'S FIRST DATA REQUEST
DATED 8/3/05

ITEM 1

RESPONSIBLE PARTY: SHERMAN GOODPASTER

REQUEST: Any studies, evaluations, discussions, and/or communications concerning alternative routes or alternative configurations for the proposed transmission facilities and all related documents.

RESPONSE: The Applicant OBJECTS to this request on the grounds that the information requested is not relevant to the Commission's determination of whether this Project is required by the public convenience and necessity. The Applicant does not believe that the 2004 Amendments to KRS 278.020 expanded the jurisdiction of the Commission to include a determination of routing, location, site selection, environmental matters, or right-of-way acquisitions. In Paragraph (12) of the Commission's Statement of Consideration relating to 807 KAR 5:120, the Commission's response to a request that environmental, historical, and archaeological impacts be addressed stated that:

The only mention in Chapter 75 of property impacts is the provision giving individual landowners the right to move for intervention. The statutory amendments therefore do not provide support for requiring the filings the Counsel suggests.

In paragraph (15) of the Statement of Consideration, in response to a request that the Commission be required to make a finding that the Applicant has demonstrated that due consideration has been given to location, configuration, and proposed maintenance of lines and corridors so as to minimize adverse property, scenic and environmental impacts and that all reasonable alternatives have been considered, including co-location of the line along existing rights-of-way, the Commission stated that:

For the reasons stated in item (12) above, the PSC does not believe the legislation supports this change.

As a result, the Applicant OBJECTS to any request related to the location and configuration of the lines and corridors, property impacts, environmental impacts, and routing alternatives including co-location along existing rights-of-way.

EAST KENTUCKY POWER COOPERATIVE, INC.

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ITEM 2

RESPONSIBLE PARTY: SHERMAN GOODPASTER

REQUEST: Any studies, evaluations, discussions, and/or communications, including any environmental impact statement or environmental assessment, produced by or on behalf of any federal or state agency or by EKPC, evaluating the environmental impacts of the proposed transmission facilities and alternatives and all related documents.

RESPONSE: The Applicant OBJECTS to this request. See Objection set forth in response to Item 1.

EAST KENTUCKY POWER COOPERATIVE, INC.

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ITEM 3

RESPONSIBLE PARTY: MARY JANE WARNER

REQUEST: The total combined acreage of the properties that will be affected by the proposal and the total combined acreage of the easements required for project.

RESPONSE: The total combined acreage of properties that will be affected by the proposal is approximately 40,900 acres. This figure is based on the best available Property Value Administrator data for the respective counties, and represents approximately 537 tracts with the smallest affected tract at 0.22 acres and the largest at 1067 acres.

The total combined acreage of the easements required for the project is 1159 acres and are broken down by project types as follows:

- Total easements for New Triple Circuit lines are approximately 77 acres.
- Total easements for New Single and Double Circuit lines are approximately 526 acres.
- Total easements for Parallel lines are approximately 95 acres, (Approximately 38 of those acres will be overlapping existing easements).
- Total easements for Rebuilt lines are approximately 462 acres.

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ITEM 4

RESPONSIBLE PARTY: SHERMAN GOODPASTER

REQUEST: Any studies, evaluations, discussions, and/or communications concerning the historical and cultural resources that may be affected by the proposed transmission facilities and all related documents.

RESPONSE: The Applicant OBJECTS to this request. See Objection set forth in response to Item 1.

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ITEM 5

RESPONSIBLE PARTY: SHERMAN GOODPASTER

REQUEST: An identification and description of all sites on or eligible for the National Register of Historic Places which are in the Area of Potential Effect of the proposed transmission facilities.

RESPONSE: The Applicant OBJECTS to this request. See Objection set forth in response to Item 1.

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ITEM 6

RESPONSIBLE PARTY: SHERMAN GOODPASTER

REQUEST: Any studies, evaluations, discussions and/or communications concerning EKPC's obligations and efforts toward complying with section 106 of the National Historic Preservation Act, 16 U.S.C. § 470 et seq., and its implementing regulations, 36 C.F.R. Part 800 and all related documents.

RESPONSE: The Applicant OBJECTS to this request. See Objection set forth in response to Item 1.

EAST KENTUCKY POWER COOPERATIVE, INC.

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INTERVENORS CARROLL & DORIS TICHENOR'S FIRST DATA REQUEST
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ITEM 7

RESPONSIBLE PARTY: MARY JANE WARNER

REQUEST: Any studies, evaluations, discussions and/or communications which form the basis for EKPC's statement that "modifications to the project scope resulted from adjustments made for physical considerations as part of the routing process and opportunities to rebuilding existing lines or co-locate with existing facilities" and all related documents.

RESPONSE: In the Memphis Jct. – Steam Plant area, the original plan was to rebuild an existing 69kV line with Double Circuit 161kV construction. When engineers made field visits and developed a preliminary design, it was apparent that congestion was a significant issue and impediment. Five different options were developed and assessed as a refinement of the scope in the area. The summary comparison of those options is attached as **Exhibit 7-1**. It is important to note that the selected Option #5 reduces the total plan cost because it shifts the rebuild of the Bowling Green – Memphis Jct. line in the original plan to a rebuild of the Bowling Green - Auburn line and eliminates approximately 5 miles of 161kV rebuild from the overall plan. Additionally Option #5

will result in the removal of 5 miles of existing 69kV line that will no longer be needed.

Exhibit 7-2 is a helicopter video of the Bowling Green – Memphis Jct. Line.

Option #1

New line from Memphis Jct to the Bowling Green - Morgantown line.
8 miles double circuit 161kv transmission on new r/w

\$ 870,000.00 Right-of-Way (labor and easments)
108750 per mile cost on Spurlock - Flemingsburg

\$ 160,000.00 Engineering/Survey/Inspection/Environmental (labor)
20000 per mile cost on Spurlock - Flemingsburg

\$ 2,366,120.00 Construction (labor and material)
190765 per mile material
105000 per mile labor

\$ 3,396,120.00 **Total Estimated Costs**

New line from Memphis Jct to the Bowling Green - Morgantown line.
7 miles double circuit 161kv transmission on new r/w

\$ 761,250.00 Right-of-Way (labor and easments)
108750 per mile cost on Spurlock - Flemingsburg

\$ 140,000.00 Engineering/Survey/Inspection/Environmental (labor)
20000 per mile cost on Spurlock - Flemingsburg

\$ 2,070,355.00 Construction (labor and material)
190765 per mile material
105000 per mile labor

\$ 2,971,605.00 **Total Estimated Costs**

Option #2

Rebuild entire line from Memphis Jct - Bowling Green
6.6 miles double circuit 161kv, 0.60 miles double circuit 161
with 69kv underbuild

<u>\$ 650,000.00</u>	Right-of-Way (labor and easments) 200 estimated number of parcels 2500 estimated avg cost per parcel for r/w 150000 estimated labor for 2 agents
<u>\$ 180,000.00</u>	Engineering/Survey/Inspection/Environmental (labor) 25000 estimated cost per mile <i>based on 20k per mile on Spurlock-Flemingsburg with 20% additional for complexity of this line</i>
<u>\$ 2,400,135.00</u>	Construction (labor and material) <u>Material</u> 1259049 6.6 miles DC @ 190765/mi 164886 0.6 miles DC with 69 @ 274810/mi <u>Labor</u> 409500 estimated 105000 per mile suburban 3.9 mi 379500 estimated 115000 per mile town 3.3 mi 187200 removal at 26000/mi
<u>\$ 100,000.00</u>	Misc 100000 Wal-Mart mess at HWY-231
<u><u>\$ 3,330,135.00</u></u>	Total Estimated Costs

Option #3

Rebuild to Hwy 231, Swap r/w with BGMU
7.2 miles double circuit 161kv

<u>\$ 497,000.00</u>	Right-of-Way (labor and easments) 140 estimated number of parcels 2800 estimated avg cost per parcel for r/w 105000 estimated labor for 2 agents
<u>\$ 180,000.00</u>	Engineering/Survey/Inspection/Environmental (labor) 25000 per mile cost on Spurlock - Flemingsburg
<u>\$ 2,331,708.00</u>	Construction (labor and material) <u>Material</u> 1373508 7.2 mi DC @ 190765/mi <u>Labor</u> 598500 estimated 105000 per mile suburban 5.7 mi 172500 estimated 115000 per mile town 1.5 mi 187200 removal at 26000/mi
<u>\$ 420,000.00</u>	3 mi Reconductor WRECC line for BGMU 45000 Eng/Survey/Inspection @ 15000/mi 375000 Construction mat/labor @ 125000/mi
<u>\$ 100,000.00</u>	Misc 100000 Wal-Mart mess at HWY-231

\$ 3,528,708.00 Total Estimated Costs

Option #4

Rebuild to Hwy 231, parallel TVA or BGMU
7.2 miles double circuit 161kv

\$ 731,250.00 Right-of-Way (labor and easments)

120 estimated number of parcels
2500 estimated avg cost per parcel for r/w
105000 estimated labor for 2 agents

326250 new r/w on 3 mi @ 108750/mi

\$ 180,000.00 Engineering/Survey/Inspection/Environmental (labor)
25000 per mile cost on Spurlock - Flemingsburg

\$ 2,331,708.00 Construction (labor and material)

Material

1373508 7.2 mi DC @ 190765/mi

Labor

598500 estimated 105000 per mile suburban 5.7 mi
172500 estimated 115000 per mile town 1.5 mi
187200 removal at 26000/mi

\$ 100,000.00 Misc

100000 Wal-Mart mess at HWY-231

\$ 3,342,958.00 Total Estimated Costs

Option #5

New Triple Circuit to Auburn Line

3.5 miles, DC 161kv, single 69kv, rebuild Auburn line to single 161kv

\$ 590,625.00 Right-of-Way (labor and easements)

Auburn Section

75 estimated number of parcels along Auburn Line

2000 estimated avg cost per parcel for r/w (single circuit upgrade)

60000 estimated r/w labor

210000 total Auburn Section

New Triple Circuit Section

380625 estimate r/w 3.5mi @ 108750/mi

\$ 186,000.00 Engineering/Survey/Inspection/Environmental (labor)

186000 9.3 mi @ 20000/mi

\$ 2,710,800.00 Construction (labor and material)

Material

962500 3.5 mi DC 161, single 69kv @ 275000

725000 5.8 mi single 161 to BG @ 125000/mi

Labor

437500 estimated 125000 per mile triple circuit 3.5 mi

435000 estimated 75000 per mile single 161 5.8 mi

150800 removal 5.8mi at 26000/mi

\$ 3,487,425.00 Total Estimated Costs

Note this option eliminates 69kv from Bowling Green Substation to General Motors Substation.

EAST KENTUCKY POWER COOPERATIVE, INC.

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DATED 8/3/05

ITEM 8

RESPONSIBLE PARTY: SHERMAN GOODPASTER

REQUEST: Any studies, evaluations, discussions and/or communications concerning EKPC's application to the Federal Energy Regulatory Commission ("FERC") for an Order Requiring Interconnections, including all documents filed with FERC and all related documents.

RESPONSE: The Applicant OBJECTS to this request since the referenced FERC proceedings and any issues addressed therein are not in any way relevant to the issues to be considered in the determination of the public convenience and necessity of this Project. The interconnections ordered by FERC are required independently of and in addition to this Project.

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INTERVENORS CARROLL & DORIS TICHENOR'S FIRST DATA REQUEST
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ITEM 9

RESPONSIBLE PARTY: SHERMAN GOODPASTER

REQUEST: Any studies, evaluations, discussions and/or communications concerning EKPC's plans to obtain "permits and permit revisions for features such as highway, railroad, and river crossings...[and a]n easement through the Peabody Wildlife Management Area in Butler County," and all related documents.

RESPONSE: No studies or evaluations have yet been prepared, and there have been no documented discussions and/or communications concerning permits for highway, railroad or river crossings. The Applicant OBJECTS to that portion of this request that deals with acquisition of easements and right-of-ways. See Objection set forth in Response to Item 1.

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INTERVENORS CARROLL & DORIS TICHENOR'S FIRST DATA REQUEST
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ITEM 10

RESPONSIBLE PARTY: SHERMAN GOODPASTER

REQUEST: All correspondence related to crossing of the Peabody Wildlife Management Area, all applications for permission to cross, and all replies from the representatives of the Area concerning crossing this property.

RESPONSE: The Applicant OBJECTS to this request. See Objection set forth in response to Item 1.

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INTERVENORS CARROLL & DORIS TICHENOR'S FIRST DATA REQUEST
DATED 8/3/05

ITEM 11

RESPONSIBLE PARTY: SHERMAN GOODPASTER

REQUEST: Any studies, evaluations, discussions, and/or communications concerning EKPC's proposed transmission facilities' rights-of-way and all documents related to this subject.

RESPONSE: The Applicant OBJECTS to this request. See Objection set forth in response to Item 1.

EAST KENTUCKY POWER COOPERATIVE, INC.

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INTERVENORS CARROLL & DORIS TICHENOR'S FIRST DATA REQUEST
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ITEM 12

RESPONSIBLE PARTY: PAUL ATCHISON

REQUEST: Please provide all correspondence between EKPC and the Tennessee Valley Authority ("TVA") regarding the subject of this application, including but not limited to any correspondence relating to requests by EKPC to utilize TVA transmission facilities and rights-of-way.

RESPONSE: There is no correspondence between EKPC and TVA regarding the subject of this application, except e-mails concerning acquisition of right-of-way across property owned in fee by TVA. The Applicant OBJECTS to any part of this request relating to right-of-way acquisition. See Objection set forth in Response to Item 1.

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ITEM 13

RESPONSIBLE PARTY: MARY JANE WARNER

REQUEST: Please identify the total combined area, in miles, of the TVA transmission system that could, with TVA's concurrence, be utilized by EKPC. Please identify the total combined area, in miles, of EKPC's proposed transmission facilities that would not be necessary if TVA agreed to allow EKPC's Request for Interconnection.

RESPONSE: If TVA agreed to provide network transmission service to EKPC for wholesale power supply to WRECC, this service would be deemed to be across the entire transmission system of TVA since it is impossible to determine the actual, discrete portions of the TVA system that would carry the power flows created by EKPC's service to WRECC. EKPC does not know the exact mileage of transmission lines in the TVA system.

If TVA agreed to provide the transmission interconnections requested by EKPC, this would not eliminate any of the proposed transmission facilities that are the subject of this Case.

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ITEM 14

RESPONSIBLE PARTY: MARY JANE WARNER

REQUEST: Please identify all sources of power, generated by EKPC and/or any other generator, within a 100-mile radius of each Warren RECC Substation that will be powered by the proposed transmission facilities.

RESPONSE: The following power plants have been identified from EKPC, ECAR, and SERC maps as being within 100 miles of at least one WRECC Substation (common names are supplied where known, otherwise bus IDs from the NERC MMWG 2004 Series 2005 Summer power flow model are provided). Other sources of power may exist within a 100-mile radius that do not appear on these maps:

Johnsonville (TVA)	Cumberland (TVA)	Shawnee (TVA)	Kentucky Dam (TVA)
Barkley (TVA)	Paradise (TVA)	Wolf Creek (TVA)	Gallatin (TVA)
Cordell Hull (TVA)	Center Hill (TVA)	Great Falls (TVA)	Joppa (EEI)
A.B. Brown (Vectren)	Northeast (Vectren)	F.B. Culley (Vectren)	Warrick (Vectren)
10BG GT (Vectren)	10JSP (Vectren)	10SNAK (Vectren)	Coleman (BREC)
Reid (BREC)	Wilson (BREC)	E.W. Brown (LGEE)	Dix Dam (LGEE)
Green River (LGEE)	Mill Creek (LGEE)	Cane Run (LGEE)	Paddys Run (LGEE)
Ohio Falls (LGEE)	Tyrone (LGEE)	Waterside (LGEE)	Zorn (LGEE)
Elmer Smith (OMU)	Green (HMPL)	Cooper (EKPC)	Laurel Hydro (EKPC)
Gibson (PSI)	Edwardsport (PSI)	R.A. Gallagher (PSI)	Petersburg (IPL)
Ratts (HE)	Rockport (AEP)	Wheatland (unknown)	
Lawrence County (unknown)		11BUCKNR (unknown)	

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ITEM 15

RESPONSIBLE PARTY: SHERMAN GOODPASTER

REQUEST: Please identify by product name any herbicides or pesticides that will be used, if any, and the manner of application for the transmission line right-of-way.

RESPONSE: The Applicant OBJECTS to this request. See Objection set forth in Response to Item 1.

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ITEM 16

RESPONSIBLE PARTY: MARY JANE WARNER

REQUEST: Has EKPC made application to any federal or state agency for any permits, licenses, authorizations or other approvals necessary for these proposed transmission facilities?

RESPONSE: Other than the Application initializing these proceedings before the Commission, no.

EAST KENTUCKY POWER COOPERATIVE, INC.

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ITEM 17

RESPONSIBLE PARTY: MARY JANE WARNER

REQUEST: If the answer to Question 16 is "yes", please identify each application by date and agency to which application was made, and provide a copy of the application and the response, if any, from such agency.

RESPONSE: N/A

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ITEM 18

RESPONSIBLE PARTY: MARY JANE WARNER

REQUEST: Does EKPC intend to acquire the necessary rights-of-ways on a voluntary basis or through condemnation?

RESPONSE: As with all of its transmission projects, EKPC desires and intends to acquire necessary rights-of-way through negotiations on a voluntary basis. However, if these negotiations are not successful, EKPC will have to assert its right to exercise eminent domain pursuant to KRS 279.110(4).

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ITEM 19

RESPONSIBLE PARTY: DAVID G. EAMES

REQUEST: Please provide a copy of all applications that have been made to the Department of Agriculture, the Rural Utilities Service, or any other federal agencies, for any loan, loan guarantee or other financial assistance for the proposed transmission facilities, if there are any such applications.

RESPONSE: The Applicant OBJECTS to providing its application to RUS for loan funds to finance this Project on the grounds that the Application or any information contained therein is not in any way relevant to these proceedings or the issues to be determined herein. This is especially true in light of KRS 278.300(10), which limits the Commission's jurisdiction over loans on indebtedness, which are subject to supervision or control of a federal agency such as RUS.

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ITEM 20

RESPONSIBLE PARTY: MARY JANE WARNER

REQUEST: Please provide a copy of all applications that have been made to any federal and/or state agency related to any permit or other authorization for the proposed transmission facilities and provide a copy of the response, if any, from such agency.

RESPONSE: See Response to Item 16. The Application initializing these proceedings is part of the record of this case.