

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

APR 09 2007

PUBLIC SERVICE  
COMMISSION

AN EXAMINATION BY THE PUBLIC SERVICE )  
COMMISSION OF THE ENVIRONMENTAL )  
SURCHARGE MECHANISM OF KENTUCKY )  
POWER COMPANY FOR THE SIX-MONTH )  
BILLING PERIODS ENDING DECEMBER 31, 2002, ) CASE NO. 2006-00128  
DECEMBER 31, 2003, JUNE 30, 2004, )  
DECEMBER 31, 2004 AND DECEMBER 31, 2005, )  
AND FOR THE TWO-YEAR BILLING PERIODS )  
ENDING JUNE 30, 2003 AND JUNE 30, 2005 )

ATTORNEY GENERAL'S OBJECTION TO KENTUCKY POWER  
COMPANY'S NOTICE OF COMPLIANCE FOR COMMISSION APPROVAL OR  
ALTERNATIVE PETITION FOR REHEARING

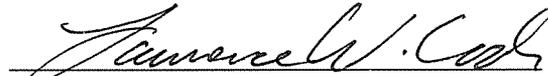
Comes now the Attorney General, Gregory D. Stumbo, by and through his  
Office of Rate Intervention, and tenders the following objection to the filing of  
Kentucky Power's notice / alternative petition for a rehearing in the above-styled  
matter.

On March 12, 2007 the Commission granted the Attorney General's  
Motion for a Rehearing, and amended the Commission's order of January 31,  
2007 to require all environmental surcharge collections associated with the costs  
of out-of-state generating facilities to be collected subject to refund, and further  
required Kentucky Power to maintain its records in such a manner, " . . . that will

permit refunds of these costs to be made should refunds be required by the Courts.”<sup>1</sup>

The Attorney General therefore objects to so much of Kentucky Power’s request that requests the Commission to take any action(s) while this case is pending appeal in the courts of this Commonwealth.

Respectfully submitted,  
GREGORY D. STUMBO  
ATTORNEY GENERAL



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<sup>1</sup> Order of Jan. 31, 2007, at p. 4.

*Certificate of Service and Filing*

Counsel certifies that an original and ten photocopies of the foregoing were served and filed by hand delivery to Beth O'Donnell, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; furthermore, it was served by mailing a true and correct copy of the same, first class postage prepaid, to:

Timothy C. Mosher  
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all on this 9<sup>th</sup> day of April, 2007.

  
Assistant Attorney General