WHITLOW & SCOTT

ATTORNEYS AT LAW 108 EAST POPLAR STREET P.O. BOX 389 ELIZABETHTOWN, KENTUCKY 42702-0389

> **TELEPHONE 270-765-2179 FAX 270-765-2180** April 13, 2007

APR 1 8 2007

PUBLIC SERVICE COMMISSION

LINCOLN SQUARE HODGENVILLE, KENTUCKY 42748 270-358-4344

JAMES T. WHITLOW JOHN J. SCOTT BENJAMIN J. HUMPHRIES

> Ms. Elizabeth O'Donnell Executive Director Public Service Commission 211 Sower Boulevard Frankfort, KY 40602

> > Re: PSC Case No. 2006-00466

Dear Ms. O'Donnell:

On behalf of Nolin Rural Electric Cooperative Corporation, please find enclosed an original and 12 copies of an Objection and Supplemental Response to Order of PSC Allowing KIUC to Intervene in the above-styled matter. Please file this document in this case for us.

Very truly yours,

John J Scott, Counsel for Nolin Rural Electric Cooperative Corporation

JJS/rrd

Enclosures

APR 1 8 2007

PUBLIC SERVICE COMMISSION

COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

:

In The Matter Of:

Application Of Nolin Rural Electric Cooperative : Case No. 2006-00466Corporation For An Adjustment Of Rates:

OBJECTION AND SUPPLEMENTAL RESPONSE TO ORDER OF PSC ALLOWING KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC. TO INTERVENE

Comes Nolin Rural Electric Cooperative Corporation, by counsel, and files the following Objection and Supplemental Response to the Order of the Commission issued May 13, 2007 (sic):

1. Nolin RECC received in the mail on April 12, 2007 a Motion from the Kentucky Industrial Utility Customers, Inc. to intervene in the rate case filed by Nolin. A copy of that same Motion was received by Nolin's counsel also on April 12, 2007 by regular mail. The very next day, April 13, 2007, Nolin responded to the Motion of KIUC, objecting to their intervention on the basis that their client will not be affected whatsoever by this rate case. That

WHITLOW & SCOTT Attorneys at Law 108 EAST POPLAR STREET P.O. BOX 389 ELIZABETHTOWN, KY 42702-0389 270-765-2179 FAX NO.: 270-765-2180 Response was mailed to the Commission on April 13, 2007, one day after the Motion was received.

- 2. This morning, April 16, 2007, Nolin RECC received an Order from the Commission which is postdated or was inadvertently dated May 13, 2007 granting KIUC the right to intervene. This Order was apparently entered on Friday, April 13, just one day after Nolin received notice of the Motion of KIUC.
- 3. Nolin objects to the Commission entering an Order allowing the intervention of KIUC before considering Nolin's objection to that Order, which was timely filed.

WHEREFORE, Nolin RECC hereby requests that the Commission deny the Motion of KIUC to intervene and reconsider its Order dated May 13, 2007 (sic).

Respectfully submitted, this $-\frac{16}{16}$ day of April, 2007.

JOHN J. SCOTT WHITLOW & SCOTT 108 E. POPLAR STR., P.O. BOX 389 ELIZABETHTOWN, KY. 42702-0389 ATTORNEY FOR NOLIN RECC (270) 765-2179 johns@kvnet.org

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CERTIFICTE

This is to certify that a copy of the foregoing Response was this 77^{-1} day of April, 2007 mailed to the following:

Michael L. Kurtz, Esq. Kurt J. Boehm, Esq. Boehm, Kurtz & Lowry 36 E. Seventh Street, Suite 1510 Cincinnati, Ohio 45202 Counsel for Kentucky Industrial Utility Customers, Inc.

Hon. Larry Cook Hon. Dennis Howard Assistant Attorney General Office of the Attorney General Utility & Rate Intervention Division 1024 Capital Center Drive, Suite 200 Frankfort, Ky. 40601-8204

Michael L. Miller President & CEO Nolin R.E.C.C. 411 Ring Road Elizabethtown, Ky. 42701-8701

JOHN J. SCØTT ATTORNEY FOR NOLIN RECC

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