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PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:)
)
THE APPLICATION OF KENERGY CORP.)
FOR AN ADJUSTMENT IN EXISTING RATES)

CASE NO. 2008-00323

APPLICATION

The application of **KENERGY CORP.** ("Kenergy") respectfully shows:

(a) Kenergy is a nonprofit electric cooperative organized under KRS Chapter 279 and is engaged in the business of distributing retail electric power to member customers in the Kentucky counties of Daviess, Hancock, Henderson, Hopkins, McLean, Muhlenberg, Ohio, Webster, Breckinridge, Union, Crittenden, Caldwell, Lyon, and Livingston.

(b) The post office address of Kenergy is Post Office Box 18, Henderson, Kentucky 42419-0018. The street address of Kenergy is 6402 Old Corydon Road, Henderson, Kentucky 42420-9392.

(c) Kenergy requests an adjustment in existing rates that will result in additional annual revenues in the approximate amount of \$3.2 million. This will be a .9% increase in total annual revenues and will result in a TIER of approximately 2.00. Kenergy needs this additional revenue to offset increased costs it is incurring, principally interest and depreciation, and to satisfy margin requirements to meet minimum mortgage covenant financial ratios. The margin requirements are also

necessary to increase equity to desired levels as stated in the corporate capital management policy.

(d) The annual reports of Kenergy are on file with the Commission in accordance with 807 KAR 5:006, Section 3(1). See 807 KAR 5:001, Section 10(1)(b)2.

(e) Kenergy is the consolidation successor of Green River Electric Corporation and Henderson Union Electric Cooperative Corp. A copy of the articles of consolidation is filed in Case No. 99-136. See 807 KAR 5:001, Section 10(1)(b)3.

(f) A certificate of good standing (Certificate of Existence) is attached as "Exhibit 1." See 807 KAR 5:001, Section 10(1)(b)5.

(g) A certificate of assumed name for Kenergy Corp., adopting the name Kenergy, has been filed in the Office of the Kentucky Secretary of State, the county clerk's offices of all counties in Kenergy's service territory, and the office of Franklin County Clerk. A copy is attached as "Exhibit 2." See 807 KAR 5:001, Section 10(1)(b)6.

(h) The proposed tariff in a form that complies with 807 KAR 5:011 is attached as "Exhibit 3A." See 807 KAR 5:001, Section 10(1)(b)7.

(i) The proposed tariff as compared to the existing tariff is shown in attached "Exhibit 3B." See 807 KAR 5:001, Section 10(1)(b)8.

(j) All affected customers will be notified of the filing of this application by publishing a notice as required under 807 KAR 5:001, Section 10(4)(c)3. The notice includes the information required under 807 KAR 5:001, Section 10(3) and the subparts thereof, and a copy of the notice is attached as "Exhibit 4." Affidavits from

the publishers verifying that the notice was published will be filed with the Commission no later than 45 days of the file date hereof.

(k) Attached as "Exhibit 5" is Adjusted Income Statement with Proposed Adjustments for the 12 months ending December 31, 2007. This statement provides 12 month historical test period information and includes pro forma adjustments for known and measurable changes. See 807 KAR 5:001, Section 10(6)(a).

(l) The prepared testimonies of Sanford Novick, Kenergy's President and CEO, Steve Thompson, Kenergy's Vice President of Finance and Accounting, and Jack D. Gaines, rate analyst with JDG Consulting LLC, are attached as "Exhibit 6," "Exhibit 7," and "Exhibit 8" respectively. See 807 KAR 5:001, Section 10(6)(b).

(m) The impact on Kenergy's overall revenues is explained in the prepared testimony of Steve Thompson in "Exhibit 7." See 807 KAY 5:001, Section 10(6)(d).

(n) The impact on the average customer bill is explained in the prepared testimony of Steve Thompson in "Exhibit 7" and in attached "Exhibit 4." See 807 KAR 5:001, Section 10(6)(e).

(o) An analysis of customers' bills as required by 807 KAR 5:001, Section 10(6)(g) is attached as "Exhibit 9."

(p) Kenergy utilized interest coverage to determine its revenue requirements. See prepared testimony of Steve Thompson attached hereto as "Exhibit 7" and attached "Exhibit 5". See 807 KAR 5:001, Section 10(6)(h).

(q) The information required to be submitted pursuant to 807 KAR 5:001, Section 10(6)(i) is not applicable because Kenergy utilized interest coverage to determine its revenue requirements, and a deviation therefrom is requested.

(r) A current chart of accounts is attached as "Exhibit 10." See 807 KAR 5:001, Section 10(6)(j).

(s) An independent auditor's annual opinion report is attached as "Exhibit 11." See 807 KAR 5:001, Section 10(6)(k).

(t) Kenergy is not regulated by the Federal Energy Regulatory Commission or Federal Communication Commission and therefore has no audit reports from these agencies. See 807 KAR 5:001, Section 10(6)(l) and (m).

(u) Kenergy's depreciation study, prepared by Welsh Group, LLC, was filed in Case No. 2006-00369 and reference is hereby made to said case as allowed under 807 KAR 5:001, Section 10(6)(n). The study and corresponding depreciation rates were approved by the Rural Utilities Service for a five-year period ending December 31, 2011.

(v) Following is a list of all commercially available or in-house developed computer software, programs and models used in the development of the schedules and work papers associated with this filing:

Commercial software Microsoft Word and Microsoft Excel were used in the preparation of the Application, exhibits and depreciation and cost of service studies.

JDG Consulting, LLC developed in-house Unbundled Cost of Service Model for use in preparing the cost of service study.

See 807 KAR 5:001, Section 10(6)(o).

(w) Annual reports to members for the two (2) most recent years are attached as "Exhibit 12." See 807 KAR 5:001, Section 10(6)(q).

(x) Monthly managerial reports providing financial results of operations of Kenergy for the 12 months in the test period are attached as "Exhibit 13A." Operating Budgets for the 12 month test period and 2008 are attached as "Exhibit 13B." See 807 KAR 5:001, Sections 10(6)(r) and 10(7)(d).

(y) Kenergy has not had any amounts charged or allocated to it by any affiliate or general or home office or paid any monies to an affiliate or general or home office during the test period or during the previous three (3) calendar years. See 807 KAR 5:001, Section 10(6)(t).

(z) Cost of service study of JDG Consulting, LLC is filed herewith in a separate binder as "Exhibit 14" to this Application. See 807 KAR 5:001, Section 10(6)(u).

(aa) With respect to the requirements of 807 KAR 5:001, Section 10(7) Kenergy states: The detailed income statement required under subpart (a) is included in "Exhibit 5" (no adjustments are proposed for the balance sheet); subparts (b) and (c) do not apply as there are no adjustments for plant additions; the operating budget required under subpart (d) is included in "Exhibit 13B;" and the information concerning number of customers required under subpart (e) is included in "Exhibit 5" and "Exhibit 9."

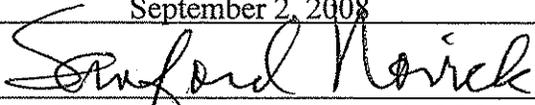
WHEREFORE, Kenergy asks that the Public Service Commission of the Commonwealth of Kentucky make its order as follows:

1. Approving the requested adjustments in existing rates.

2. Approving the proposed tariff schedules filed herewith.
3. Granting to Kenergy all proper relief.

Dated:

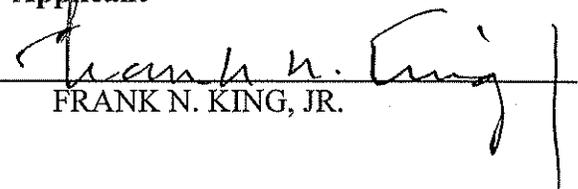
September 2, 2008


Sanford Novick, President & CEO

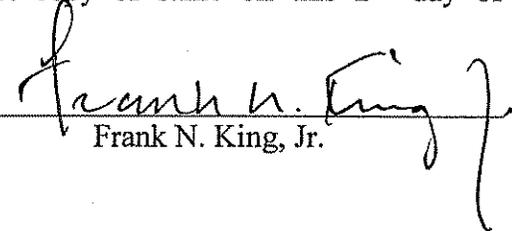
Counsel:

DORSEY, KING, GRAY, NORMENT & HOPGOOD
318 Second Street
Henderson, Kentucky 42420
(270) 826-3965 Telephone
(270) 826-6672 Telefax
Attorneys for Applicant

By


FRANK N. KING, JR.

I hereby certify that the foregoing has been served upon the Attorney General of Kentucky, Office of Rate Intervention, 1024 Capital Center Drive, Frankfort, Kentucky 40601, by mailing a true and correct copy of same on this 2nd day of September, 2008.


Frank N. King, Jr.

KENERGY CORP.

CASE NO. 2008-00323

**THE APPLICATION OF KENERGY CORP.
FOR AN ADJUSTMENT IN EXISTING RATES**

Index of Exhibits to Application

Exhibit 1	Certificate of Existence
Exhibit 2	Certificate of Assumed Name
Exhibit 3	A. Proposed Tariff B. Proposed Tariff Changes
Exhibit 4	Required Customer Notice
Exhibit 5	Adjusted Income Statement
Exhibit 6	Testimony of Sanford Novick
Exhibit 7	Testimony of Steve Thompson
Exhibit 8	Testimony of Jack D. Gaines
Exhibit 9	Consumption Analysis; Present, Normalized and Proposed Revenue by Class of Customer
Exhibit 10	Current Chart of Accounts
Exhibit 11	Independent Auditor's Report
Exhibit 12	Annual Report to Members for 2007 and 2006
Exhibit 13	A. Monthly Managerial Reports Providing Financial Results for Twelve Months in Test Period B. Operating Budget for Twelve Months in Test Period & 2008
Exhibit 14	Cost of Service Study (Separate Binder)

Commonwealth of Kentucky
Trey Grayson, Secretary of State

7/29/2008

Division of Corporations
Business Filings

P. O. Box 718
Frankfort, KY 40602
(502) 564-2848
<http://www.sos.ky.gov>

Certificate of Existence

Authentication Number: 67952

Jurisdiction: Kenergy Corp.

Visit <http://apps.sos.ky.gov/business/obrd/certvalidate.aspx> to authenticate this certificate.

I, Trey Grayson, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records of the Office of the Secretary of State,

KENERGY CORP.

is a nonprofit corporation duly incorporated and existing under KRS Chapter 273, whose date of incorporation is June 22, 1999 and whose period of duration is perpetual.

I further certify that all fees and penalties owed to the Secretary of state have been paid; that articles of dissolution have not been filed; and that the most recent annual report required by KRS 273.3671 has been delivered to the Secretary of State.

IN WITNESS THEREOF, I have hereunto set my hand and affixed my Official Seal at Frankfort, Kentucky, this 29th day of July, 2008.



Trey Grayson

Trey Grayson
Secretary of State
Commonwealth of Kentucky
67952/0471117



JOHN Y. BROWN III
SECRETARY OF STATE
CERTIFICATE OF ASSUMED NAME

RECEIVED & FILED
JUL 7 10 48 AM '99
JOHN Y. BROWN III
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY

This certifies that the assumed name of KENERGY
[Name under which the business will be conducted]

has been adopted by KENERGY CORP.
[Real name - KRS 365.015(1)]

which is the "real name" of (YOU MUST CHECK ONE)

- a Domestic General Partnership
- a Domestic Limited Partnership
- a Domestic Business Trust
- a Domestic Corporation
- a Joint Venture
- a Foreign General Partnership
- a Foreign Limited Partnership
- a Foreign Business Trust
- a Foreign Corporation

organized and existing in the state of KENTUCKY, and whose address is
6402 Old Corydon Road, Henderson, Kentucky 42420
(Street address, if any) (City) (State) (Zip Code)

This Certificate of Assumed Name is executed by:

<u><i>Dean Stanley</i></u> Signature	<u>DEAN STANLEY, PRESIDENT and CEO</u> Print or type name and title
_____ Signature	_____ Print or type name and title
_____ Signature	_____ Print or type name and title
_____ Signature	_____ Print or type name and title
_____ Signature	_____ Print or type name and title

ACKNOWLEDGMENT

State of KENTUCKY
County of HENDERSON

The foregoing instrument was acknowledged before me this 1st day of July, 19 99
by DEAN STANLEY
on behalf of KENERGY CORP.

~~a General Partnership, Limited Partnership, Business Trust, Corporation, Joint Venture~~

Barbara Smithhart
[Notary Public Signature]

State of Kentucky at Large
My Commission expires:

September 29 XM2001

P.S.C. NO. 2

CANCELS P.S.C. NO. 1

KENERGY CORP.
OF
HENDERSON, KENTUCKY

**T CLASSIFICATION OF SERVICE AND RULES AND REGULATIONS FOR
FURNISHING ELECTRIC SERVICE TO ALL OR PORTIONS OF:**

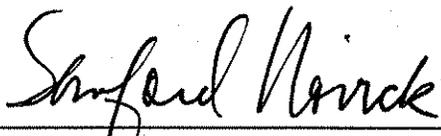
**BRECKENRIDGE, CALDWELL, CRITTENDEN, DAVIESS, HANCOCK,
HENDERSON, HOPKINS, LIVINGSTON, LYON, MCLEAN, OHIO,
MUHLENBERG, UNION, AND WEBSTER COUNTIES IN KENTUCKY**

FILED WITH THE PUBLIC SERVICE COMMISSION OF KENTUCKY

DATE ISSUED: September 3, 2008 EFFECTIVE DATE: October 3, 2008

KENERGY CORP.

BY:


Sanford Novick, President & CEO

F

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Henderson, Kentucky

FOR ALL TERRITORY SERVED
Community, Town or City
PSC NO. 2
Original SHEET NO. 1
CANCELLING PSC NO. 1
SHEET NO.

CLASSIFICATION OF SERVICE
Schedule 1 - Residential (Single Phase & Three-Phase)

T
N
T
I
I
N
T

APPLICABLE

In all territory served.

AVAILABILITY OF SERVICE

Available for single and three-phase single family residential service. Residential electric service is available for uses customarily associated with residential occupation, including lighting, cooking, heating, cooling, refrigeration, household appliances and other domestic purposes.

Residential rates are based on service to single family units and are not applicable to multi-family dwellings served through a single meter. Where two or more families occupy a residential building, Kenergy may require, as a condition precedent to the application of the residential rate, the wiring in the building be so arranged as to permit each family to be served through a separate meter. In those cases where such segregation of wiring would involve undue expense to the Member, at the Member's option in lieu of the foregoing, electric service rendered to a multi-family residential building through a single meter will be classified as commercial and billed on the basis of service to a Member at an appropriate non-residential rate.

If a separate meter is used to measure the consumption to remotely located buildings, such as garages, barns, pump houses, grain bins or other outbuildings, or facilities, such as electric fences, it will be considered a separate service and be billed as a separate service at the applicable non-residential rate.

RATE

Customer Charge per delivery point..... \$12.00 per month

Plus:

Energy Charge per KWH.....\$0.061540

ADJUSTMENT CLAUSES:

The bill amount computed at the charges specified above shall be increased or decreased in accordance with the following:

Renewable Resource Energy Service Rider Sheets No. 23 - 23D

TAXES AND FEES

School Taxes added if applicable.

Kentucky Sales Taxes added if applicable.

DATE OF ISSUE September 3, 2008
Month / Date / Year
DATE EFFECTIVE October 3, 2008
Month / Date / Year
ISSUED BY Sanford Hovick
(Signature of Officer)
TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 1A

CANCELLING PSC NO. 1

SHEET NO. _____

CLASSIFICATION OF SERVICE

Schedule 1 – Residential Service (Single Phase & Three-Phase)

FRANCHISE CHARGE

The rate herein provided shall include, where applicable, an additional charge for local government franchise payment determined in accordance with the Franchise Billing Plan as set forth on Sheet No. 105.

TERMS OF PAYMENT

The above rates are net, the gross rate being five percent (5%) greater. In the event the current monthly bill is not paid within twenty (20) days from the date bill was rendered, the gross rate shall apply.

The gross rate charge shall be forgiven on one bill each calendar year on all customers in this class of service.

Customers 65 years of age and older who have submitted proof of age to Kenergy will not be charged the gross rate on the current monthly bill at their primary residence. If payment is not received within 30 days from the date the bill was rendered, the gross rate shall apply.

ALL OTHER RULES AND REGULATIONS

Service will be furnished under Kenergy's rules and regulations applicable hereto.

DATE OF ISSUE September 3, 2008

Month / Date / Year

DATE EFFECTIVE October 3, 2008

Month / Date / Year

ISSUED BY *Stanford Houck*

(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 2

CANCELLING PSC NO. 1

SHEET NO. _____

CLASSIFICATION OF SERVICE

N

FOR FUTURE USE

DATE OF ISSUE September 3, 2008

Month / Date / Year

DATE EFFECTIVE October 3, 2008

Month / Date / Year

ISSUED BY *Stanford Norbeck*

(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 3

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 3 - All Non-Residential Single Phase

T

APPLICABLE

In all territory served.

AVAILABILITY OF SERVICE

Available for all non-residential single phase service.

N

Three-phase service under this rate schedule is restricted to those customers being billed on this rate schedule as of its effective date of June 14, 2005.

RATE

Customer Charge per delivery point \$16.00 per month

Plus:

Energy Charge per KWH.....\$0.060740

ADJUSTMENT CLAUSES:

The bill amount computed at the charges specified above shall be increased or decreased in accordance with the following:

Renewable Resource Energy Service Rider Sheets No. 23 - 23D

TAXES AND FEES

School Taxes added if applicable.

Kentucky Sales Taxes added if applicable.

T

DATE OF ISSUE September 3, 2008

Month / Date / Year

DATE EFFECTIVE October 8, 2008

Month / Date / Year

ISSUED BY [Signature] (Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 3A

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 3 - All Non-Residential Single Phase

FRANCHISE CHARGE

The rate herein provided shall include, where applicable, an additional charge for local government franchise payment determined in accordance with the Franchise Billing Plan as set forth on Sheet 105.

TERMS OF PAYMENT

The above rates are net, the gross rate being five percent (5%) greater. In the event the current monthly bill is not paid within twenty (20) days from the date the bill was rendered, the gross rate shall apply.

The gross rate charge shall be forgiven on one bill each calendar year on all customers in this class of service.

ALL OTHER RULES AND REGULATIONS

Service will be furnished under Kenergy's rules and regulations applicable hereto.

DATE OF ISSUE September 3, 2008

Month / Date / Year

DATE EFFECTIVE October 3, 2008

Month / Date / Year

ISSUED BY Sanford Hovick

(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 4

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

N

FOR FUTURE USE

DATE OF ISSUE September 3, 2008

Month / Date / Year

DATE EFFECTIVE October 3, 2008

Month / Date / Year

ISSUED BY *Stanford Brock*

(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 5

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 5 - Three-Phase Demand (Non-Residential)
Non-Dedicated Delivery Points (0 - 1,000 KW)

T

APPLICABLE

In all territory served.

T

AVAILABILITY OF SERVICE

Available for three-phase customers (non-residential) with a metered demand 0 - 1,000 KW for all uses served from non-dedicated delivery points.

T

TYPE OF SERVICE

The electric service furnished under this schedule will be three-phase, 60 cycle, alternating current at available nominal voltage.

AGREEMENT

An "Agreement for Purchase of Power" may be required of the customer for service under this schedule, in accordance with investment to serve and as mutually agreed to by both parties.

T

RATE

Customer Charge per Delivery Point..... \$30.00 per month

T&I

Plus:

Demand Charge of:

Per KW of billing demand in the month..... \$ 4.05

T&I

Plus:

Energy Charges of:

First 200 KWH per KW, per KWH..... \$0.05320

Next 200 KWH per KW, per KWH..... \$0.038

All Over 400 KWH per KW, per KWH..... \$0.033

DATE OF ISSUE September 3, 2008

Month / Date / Year

DATE EFFECTIVE October 3, 2008

Month / Date / Year

ISSUED BY [Signature] (Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED
Community, Town or City
PSC NO. 2
Original SHEET NO. 5A
CANCELLING PSC NO. 1
SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 5 - Three-Phase Demand (Non-Residential)
Non-Dedicated Delivery Points (0 - 1,000 KW)

T

ADJUSTMENT CLAUSES:

The bill amount computed at the charges specified above shall be increased or decreased in accordance with the following:

Renewable Resource Energy Service Rider Sheets No. 23 - 23D

TAXES AND FEES

School Taxes added if applicable.
Kentucky Sales Tax added if applicable.

T

FRANCHISE CHARGE

The rate herein provided shall include, where applicable, an additional charge for local government franchise payment determined in accordance with the Franchise Billing Plan as set forth on Sheet No. 105.

T

DETERMINATION OF BILLING DEMAND

The billing demand shall be the maximum kilowatt load used by the customer for any period of fifteen (15) consecutive minutes during the month for which the bill is rendered as indicated or recorded by a demand meter.

DATE OF ISSUE September 3, 2008
Month / Date / Year
DATE EFFECTIVE October 3, 2008
Month / Date / Year
ISSUED BY [Signature]
(Signature of Officer)
TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 5B

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 5 - Three-Phase Demand (Non-Residential)
Non-Dedicated Delivery Points (0 - 1,000 KW)

T

POWER FACTOR ADJUSTMENT

T

The customer agrees to maintain a power factor as nearly as practical to unity. Kenergy will permit the use of apparatus that shall result, during normal operation, in a power factor not lower than 90%.

Max. Measured KW x 90% / Power Factor (%)

The power factor shall be measured at time of maximum load.

PRIMARY SERVICE DISCOUNT

T

If service is furnished at primary distribution voltage, a discount of \$.50 per KW of Billing Demand will be applied to the monthly bill.

TERMS OF PAYMENT

T

The above rates are net, the gross rate being five percent (5%) greater. In the event the current monthly bill is not paid within twenty (20) days from the date the bill was rendered, the gross rate will apply.

N

ALL OTHER RULES AND REGULATIONS

Service will be furnished under Kenergy's rules and regulations applicable hereto.

DATE OF ISSUE September 3, 2008
Month / Date / Year

DATE EFFECTIVE October 3, 2008
Month / Date / Year

ISSUED BY [Signature]
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 6

CANCELLING PSC NO. 1

SHEET NO. _____

CLASSIFICATION OF SERVICE

N

FOR FUTURE USE

DATE OF ISSUE September 3, 2008

Month / Date / Year

DATE EFFECTIVE October 3, 2008

Month / Date / Year

ISSUED BY *Stanford Honick*

(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 7

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 7 - Three-Phase Demand - 1,001 KW and Over (Non-Dedicated Delivery Points)

APPLICABLE

In all territory served.

AVAILABILITY OF SERVICE

Available for all three-phase customers with a metered or contract demand 1,001 KW & Over served from a non-dedicated delivery point.

Any service provided under this tariff shall be for a minimum of twelve (12) consecutive months, whereby the customer will be billed a minimum of 1,001 KW for next twelve (12) months.

TYPE OF SERVICE

The electric service furnished under this schedule will be three-phase, 60 cycle, alternating current at available nominal voltage.

RATE

Option A - High Load Factor (above 50%):

Customer Charge per Delivery Point..... \$575.00 per month

Plus:

Demand Charge of:

Per KW of Billing Demand in the month \$8.65

Plus:

Energy Charges of:

First 200 KWH per KW, per KWH..... \$0.0275

Next 200 KWH per KW, per KWH..... \$0.0250

All Over 400 KWH per KW, per KWH \$0.0230

Primary Service Discount.....\$.50 per KW

Option B - Low Load Factor (below 50%):

Customer Charge per Delivery Point..... \$575.00 per month

Plus:

Demand Charge of:

Per KW of Billing Demand in the month \$4.80

DATE OF ISSUE September 3, 2008

Month / Date / Year

DATE EFFECTIVE October 3, 2008

Month / Date / Year

ISSUED BY [Signature]

(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED
Community, Town or City
PSC NO. 2
Original SHEET NO. 7A
CANCELLING PSC NO. 1
SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 7 - Three-Phase Demand - 1,001 KW and Over
(Non-Dedicated Delivery Points)

Plus:

Energy Charges of:

First 150 KWH per KW, per KWH..... \$0.0420
Over 150 KWH per KW, per KWH..... \$0.036
Primary Service Discount.....\$.50 per KW

ADJUSTMENT CLAUSES:

The bill amount computed at the charges specified above shall be increased or decreased in accordance with the following:

Renewable Resource Energy Service Rider Sheets No. 23 - 23D
Price Curtailable Service Rider Sheet No. 42

TAXES AND FEES

School Taxes added if applicable.
Kentucky Sales Tax added if applicable.

FRANCHISE CHARGE

The rate herein provided shall include, where applicable, an additional charge for local government franchise payment determined in accordance with the Franchise Billing Plan as set forth on Sheet No. 105.

AGREEMENT

An "Agreement for Purchase of Power" shall be executed by the customer for service under this schedule. The minimum monthly charge shall be in accordance with investment to serve and as mutually agreed to by both parties. Should the provisions of the expansion rate contained on Sheets 41 - 41F apply, additional language incorporating those provisions will be added to the agreement.

DATE OF ISSUE September 3, 2008
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Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 7B

CANCELLING PSC NO. 1

SHEET NO. _____

CLASSIFICATION OF SERVICE

Schedule 7 – Three-Phase Demand – 1,001 KW and Over
(Non-Dedicated Delivery Points)

OPTION A OR B RATE SELECTION

The option chosen by the customer will remain in effect for a minimum of twelve months. Thereafter, the customer may, upon request, transfer from one option to the other after twelve months of service under the option previously chosen.

DETERMINATION OF BILLING DEMAND

The billing demand shall be the greater of the actual maximum kilowatt demand used by the customer for any period of fifteen (15) consecutive minutes during the month for which the bill is rendered as indicated or recorded by a demand meter or the minimum contract demand, which must equal or exceed 1,001 KW.

POWER FACTOR ADJUSTMENT

The customer agrees to maintain a power factor as nearly as practical to unity. Kenergy will permit the use of apparatus which shall result, during normal operation, in a power factor not lower than 90%.

At Kenergy's option, in lieu of the customers providing the above corrective equipment, when power factor is less than 90%, Kenergy may adjust the maximum measured demand for billing purposes in accordance with the following formula:

$$\frac{\text{Max. Measured KW} \times 90\%}{\text{Power Factor (\%)}}$$

The power factor shall be measured at time of maximum load.

PRIMARY SERVICE DISCOUNT

If service is furnished at primary distribution voltage, a discount of \$.50 per KW of Billing Demand will be applied to the monthly bill. Kenergy shall have the option of metering at primary or secondary voltage.

TERMS OF PAYMENT

The above rates are net, the gross rate being five percent (5%) greater. In the event the current monthly bill is not paid within twenty (20) days from the date the bill was rendered, the gross rate will apply.

ALL OTHER RULES AND REGULATIONS

Service will be furnished under Kenergy's rules and regulations applicable hereto.

DATE OF ISSUE September 3, 2008

Month / Date / Year

DATE EFFECTIVE October 3, 2008

Month / Date / Year

ISSUED BY Stanford Novick

(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED _____

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Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 8-14

CANCELLING PSC NO. 1

SHEET NO. _____

CLASSIFICATION OF SERVICE

FOR FUTURE USE

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TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 15

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 15 - Private Outdoor Lighting

APPLICABLE

In all territory served.

AVAILABILITY OF SERVICE

Service under this schedule is offered, under the conditions set out hereinafter, for lighting applications on private property such as, but not limited to, residential, commercial and industrial plant site or parking lot, other commercial area lighting, etc. to customers now receiving electric service from Kenergy at the same location. Service will be provided under written contract signed by customer prior to service commencing, when facilities are required other than fixture(s).

Standard (Served Overhead)

Type Light	Watts	Approx. Lumens	Avg. Monthly Energy (KWH)	(per lamp per month) Rates
Mercury Vapor	175	7,000	70	\$ 7.16
Mercury Vapor	250	12,000	97	\$ 8.45
Mercury Vapor	400	20,000	155	\$ 9.98
High Pressure Sodium	100	9,500	44	\$ 6.95
High Pressure Sodium	250	27,000	101	\$ 9.98
High Pressure Sodium-Flood Light	400	61,000	159	\$11.39
Metal Halide	100	9,000	42	\$ 6.53
Metal Halide	400	24,000	156	\$13.45

In the event existing facilities cannot be utilized, customer will be required to make an advance contribution equal to the estimated cost of labor and materials in excess of the cost to install the lighting unit on existing facilities.

Customer shall be responsible for losses due to vandalism.

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BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 15A

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 15 - Private Outdoor Lighting

Commercial and Industrial Lighting

(Available to all classes except residential)

Type Light	Watts	Approx. Lumens	Avg. Monthly Energy (KWH)	(per lamp per month) Rates
Flood Lighting Fixture				
High Pressure Sodium	250	28,000	103	\$ 8.99
High Pressure Sodium	400	61,000	160	\$11.39
High Pressure Sodium	1,000	140,000	377	\$26.17
Metal Halide	250	19,500	98	\$ 8.61
Metal Halide	400	32,000	156	\$11.36
Metal Halide	1,000	107,000	373	\$26.17
Contemporary (Shoebox) Lighting Fixture				
High Pressure Sodium	250	28,000	103	\$10.27
High Pressure Sodium	400	61,000	160	\$12.75
High Pressure Sodium	1,000	140,000	377	\$26.17
Metal Halide	250	19,500	98	\$ 9.91
Metal Halide	400	32,000	156	\$12.50
Metal Halide	1,000	107,000	373	\$26.17
Decorative Lighting Fixtures				
Acorn Globe Metal Halide	100	9,000	42	\$ 9.67
Acorn Globe Metal Halide	175	16,600	71	\$11.74
Round Globe Metal Halide	100	9,000	42	\$ 9.48
Round Globe Metal Halide	175	16,600	71	\$10.84
Lantern Globe Metal Halide	175	16,600	71	\$10.96
Acorn Globe HPS	100	9,500	42	\$10.95

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IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED
Community, Town or City
PSC NO. 2
Original SHEET NO. 15B
CANCELLING PSC NO. 1
SHEET NO.

Table with 1 row and 1 column: CLASSIFICATION OF SERVICE, Schedule 15 - Private Outdoor Lighting

Rate Per Month

Pedestal Mounted Pole

Table with 2 columns: Description (Steel, 25 ft. - per pole, etc.) and Rate (\$ 6.35, etc.)

Direct Burial Pole

Table with 2 columns: Description (Wood, 30 ft. - per pole, etc.) and Rate (\$ 3.98, etc.)

Kenergy will furnish facilities and electric service for commercial/industrial exterior lighting applications in accordance with an appropriate lease lighting agreement.

ADJUSTMENT CLAUSES:

The bill amount computed at the charges specified above shall be increased or decreased in accordance with the following:

Renewable Resource Energy Service Rider Sheets No. 23 - 23D

TAXES AND FEES

- T School Taxes added if applicable.
T Kentucky Sales Tax added if applicable.

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IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 15C

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 15 - Private Outdoor Lighting

FRANCHISE CHARGE

The rate herein provided shall include, where applicable, an additional charge for local government franchise payment determined in accordance with the Franchise Billing Plan as set forth on Sheet No. 105.

TERMS OF PAYMENT

The above rates are net, the gross rate being five (5%) greater. In the event the current monthly bill is not paid within twenty (20) days from the date the bill was rendered, the gross rate will apply.

ALL OTHER RULES AND REGULATIONS

Service will be furnished under Kenergy's rules and regulations applicable hereto.

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BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 16

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 16 - Street Lighting Service

APPLICABLE

In all territory served.

AVAILABILITY OF SERVICE

To governmental units, lighting districts, or similar entities organized under KRS 179.470 located within the territory served by Kenergy. Service to the subdivisions of Baskett, Meadow Hills and Spottsville under a shared service agreement is restricted to those customers being billed under the special rate as of its effective date of June 14, 2005.

CONDITIONS OF SERVICE - STANDARD

Normally, street lighting fixtures and facilities are furnished and maintained by Kenergy at the rates specified below. However, special situations may require that service terms and conditions be negotiated individually and mutually agreed upon.

Street lighting for subdivision street lighting districts or similar entities created by a county fiscal court pursuant to KRS 179.470 will be coordinated with the appropriate county fiscal court. The rates for such service shall be in accordance with those specified below. Agreements for street lighting service with a county fiscal court and a street lighting district may (1) provide for advance collection of charges for street lighting service and (2) provide that service to a street lighting district will not be disconnected for nonpayment as long as the fiscal court of the county in which the street lighting district is located agrees to pay for the expense of street lighting on the terms provided in this tariff, collects the assessment in accordance with the customary procedures for collecting county ad valorem real property taxes, and within a reasonable time, pays Kenergy any amounts so collected.

RATE

Type Light	Watts	Approx. Lumens	Avg. Monthly Energy (KWH)	(per light per month) Rates
Mercury Vapor	175	7,000	70	\$ 7.16
Mercury Vapor	400	20,000	155	\$ 10.02
High Pressure Sodium	100	9,500	43	\$ 6.95
High Pressure Sodium	250	27,000	85	\$ 10.10
Metal Halide	100	9,000	42	\$ 6.53
Metal Halide	400	24,000	156	\$ 13.24

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Month / Date / Year

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BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 16A

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 16 - Street Lighting Service

UNDERGROUND SERVICE WITH NON-STANDARD POLE

For service to governmental entities and street lighting districts with underground service on aluminum or fiberglass poles, an additional charge of \$5.12 per month per pole will be added to the standard charges for street lighting.

OVERHEAD SERVICE TO STREET LIGHTING DISTRICTS SERVED PURSUANT TO KRS 179.470

For service to street lighting districts utilizing standard overhead facilities, an additional charge of \$2.13 per month per pole will be added to the standard charges for street lighting.

CONDITIONS OF SERVICE.- DECORATIVE UNDERGROUND

Area lighting will be installed using underground service, with lights in each individual subdivision or lighting district having an average accessible service circuit of seventy-five (75) feet (i.e., distance from existing source of secondary electric service to light equals 75 feet average). For light locations in excess of seventy-five (75) feet average, or services requiring conductor sizes greater than the standard #12-2 AZ conductor, customer shall be required to pay these costs in advance of receiving service.

Type Light	Watts	Approx. Lumens	Avg. Monthly Energy (KWH)	(per lamp per month) Rates
High Pressure Sodium Fixture, with White Acorn Style Globe installed on decorative pole	70	6,300	30	\$ 9.83
High Pressure Sodium Fixture, with Lantern Style Globe installed on decorative pole	70	6,300	30	\$ 9.83
Two High Pressure Sodium Fixtures, with either Acorn or Lantern Style Globes installed on a decorative pole with scroll crossarm	140	12,600	60	\$17.36
High Pressure Sodium Fixture, with White Acorn Style Globe installed on 14ft. decorative pole	100	9,500	43	\$18.98

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IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 16B

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 16 - Street Lighting Service

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N

ADJUSTMENT CLAUSES

The bill amount computed at the charges specified above shall be increased or decreased in accordance with the following:

Renewable Resource Energy Service Rider Sheets No. 23 - 23D

TAXES AND FEES

T

School Taxes added if applicable.

T

Kentucky Sales Taxes added if applicable.

FRANCHISE CHARGE

The rate herein provided shall include, where applicable, an additional charge for local government franchise payment determined in accordance with the Franchise Billing Plan as set forth on Sheet No. 105.

TERMS OF PAYMENT

T

The above rates are net, the gross rate being five (5%) greater. In the event the current monthly bill is not paid within twenty (20) days from the date the bill was rendered, the gross rate will apply.

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ALL OTHER RULES AND REGULATIONS

Service will be furnished under Kenergy's rules and regulations applicable hereto.

DATE OF ISSUE September 3, 2008
Month / Date / Year

DATE EFFECTIVE October 3, 2008
Month / Date / Year

ISSUED BY [Signature]
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 17-22

CANCELLING PSC NO. 1

SHEET NO. _____

CLASSIFICATION OF SERVICE

FOR FUTURE USE

DATE OF ISSUE September 3, 2008

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Month / Date / Year

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(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 23

CANCELLING PSC NO. 1

SHEET NO. _____

CLASSIFICATION OF SERVICE

Schedule 23 – Renewable Resource Energy Service Rider

APPLICABLE

In all territory served.

AVAILABILITY OF SERVICE

Renewable Resource Energy service is available in accordance with the terms of this tariff rider to any customer purchasing retail electric service under a rate schedule listed on Sheet No. 23A of this rider subject to Kenergy's general rules and regulations on file with the Public Service Commission of Kentucky. For purposes of this renewable resource energy service tariff rider, (i) the term "Renewable Resource Energy" means electric energy produced from solar, wind, ocean, geothermal energy, biomass, or landfill gas, and (ii) the term "biomass" means any organic material that is available on a renewable or recurring basis, including dedicated energy crops, trees grown for energy production, wood waste and wood residues, plants (including aquatic plants, grasses, and agricultural crops), residues, fibers, animal wastes and other organic waste materials (but not including unsegregated municipal solid waste (garbage)), and fats and oils.

CONDITIONS OF SERVICE

- (1) Renewable Resource Energy service availability is contingent upon the availability from Kenergy's wholesale power supplier of a wholesale supply of Renewable Resource Energy in the quantity and at the quality requested by a customer.
- (2) Subject to the other requirements of this tariff rider, Kenergy will make Renewable Resource Energy service available to a customer if the customer signs a Renewable Resource Energy service contract in the form attached to this tariff rider agreeing to purchase a specified number of 100 KWH blocks of Renewable Resource Energy per month for a period of not less than one year, and that contract is accepted by Kenergy's wholesale power supplier. Kenergy will have the right, but not the obligation, to terminate a Renewable Resource Energy service contract at the request of the customer before the end of the contract term.

DATE OF ISSUE September 3, 2008

Month / Date / Year

DATE EFFECTIVE October 3, 2008

Month / Date / Year

ISSUED BY Stanford Kravick

(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 23A

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 23 - Renewable Resource Energy Service Rider

T

MONTHLY RATE

- (1) The rate for Renewable Resource Energy is the rate schedule applicable to service to a customer, plus a premium per kilowatt hour of Renewable Resource Energy contracted for as follows, subject to any adjustment, surcharge or surcredit that is or may become applicable under the customer's rate schedule:

Table with 2 columns: Rate Schedule description and A Per Kilowatt Hour Premium Of. Includes entries for Residential, Single Phase, Three-Phase Demand, Private Outdoor Lighting, Street Lighting Service, Dedicated Delivery Point Customers (Class B), Large Industrial Customers (Class C), and Large Industrial Customers (Expansion Rate).

- (2) Renewable Resource Energy purchased by a customer in any month will be conclusively presumed to be the first kilowatt hours delivered to that Customer in that month.

DATE OF ISSUE September 3, 2008

Month / Date / Year

DATE EFFECTIVE October 3, 2008

Month / Date / Year

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TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 23B

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 23 – Renewable Resource Energy Service Tariff Rider

BILLING

Sales of Renewable Resource Energy are subject to the terms of service and payment of the rate schedule under which Renewable Resource Energy is purchased.

DATE OF ISSUE September 3, 2008
Month / Date / Year

DATE EFFECTIVE October 3, 2008
Month / Date / Year

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TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 23C

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 23 - Renewable Resource Energy Service Rider

RENEWABLE ENERGY CONTRACT

SELLER: KENERGY CORP.

CUSTOMER:

CUSTOMER ACCOUNT NUMBER:

BEGINNING DATE OF RENEWABLE ENERGY SALE: , 20

ENDING DATE OF RENEWABLE ENERGY SALE (WHICH IS A DATE NOT LESS THAN ONE YEAR AFTER THE BEGINNING DATE): , 20

NO. OF BLOCKS OF 100 KILOWATT HOURS EACH OF RENEWABLE ENERGY PURCHASED:

KENERGY agrees to sell, and CUSTOMER agrees to buy Renewable Energy in the amounts and for the period stated above, in accordance with KENERGY'S Renewable Energy Rider, a copy of which CUSTOMER has received from KENERGY. The retail rate premium that will be added to CUSTOMER'S monthly bill for each 100 KWH block of Renewable Energy is \$, or \$ in total per billing month based upon the number of blocks of Renewable Energy CUSTOMER will purchase from KENERGY, subject to any changes in KENERGY'S Renewable Energy Rider approved by the Kentucky Public Service Commission from time to time. This Renewable Energy Contract contains the entire agreement of the KENERGY and the CUSTOMER regarding CUSTOMER'S purchase of Renewable Energy from KENERGY, and may not be amended except in writing, signed by KENERGY and CUSTOMER.

AGREED BY KENERGY:

KENERGY CORP.

BY:

ITS:

DATE: , 20

AGREED BY CUSTOMER:

BY:

DATE: , 20

DATE OF ISSUE September 3, 2008

Month / Date / Year

DATE EFFECTIVE October 3, 2008

Month / Date / Year

ISSUED BY Sanford Kovick

(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 23D

CANCELLING PSC NO. 1

SHEET NO. _____

CLASSIFICATION OF SERVICE

Schedule 23 – Renewable Resource Energy Service Rider

DETERMINATION OF KWH ADDER

	<u>Non-Dedicated Delivery Points Rate Schedules 1-7 & 15-16</u>	<u>Direct Served Large Industrials Schedules 31, 32, 33 and 41</u>
Charge from Wholesale Electric Supplier for Renewable Energy Purchased	\$0.055 per KWH	\$0.055 per KWH
Less Charge from Wholesale Electric Supplier	<u>\$0.0204 per KWH</u>	<u>\$0.013715 per KWH</u>
Subtotal	\$0.0346 per KWH	\$0.041285 per KWH
1 – Twelve-Month Line Loss of 4.7526%	= .95247	N/A No line losses to Kenergy
KWH Adder – Renewable Energy Tariff Rider (3.46¢/.95247)	\$0.0363 per KWH	\$0.041285 per KWH

Schedule 1 Twelve Month Actual Line Loss %

	<u>KWH PURCHASED/PAID</u>	<u>KWH BILLED</u>	<u>OFFICE USE</u>	<u>KWH LOSSES</u>
2007 Calendar Year (Billed and Paid)	1,231,938,384	1,170,730,495	2,658,620	58,549,269
Twelve Month Ratio	4.7526%			

DATE OF ISSUE September 3, 2008
Month / Date / Year

DATE EFFECTIVE October 3, 2008
Month / Date / Year

ISSUED BY Stanford Bruck
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED _____

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Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 24-29

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

FOR FUTURE USE

DATE OF ISSUE September 3, 2008
Month / Date / Year

DATE EFFECTIVE October 3, 2008
Month / Date / Year

ISSUED BY *Stanford Brick*
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED
Community, Town or City
PSC NO. 2
Original SHEET NO. 30
CANCELLING PSC NO. 1
SHEET NO.

CLASSIFICATION OF SERVICE
Schedule 30 - Special Charges

In accordance with 807 KAR 5:006 Section 8, Kenergy will make the following special nonrecurring charges to recover customer-specific costs incurred, which would otherwise result in monetary loss to the utility or increased rates to other customers to whom no benefits accrue from the service provided or action taken.

- (a) Turn-on Charge \$30.00 (overtime \$90.00) - A turn-on charge will be assessed for a seasonal or temporary service.
(b) Reconnect Charge - \$30.00 (overtime \$90.00) - A reconnect charge will be assessed to reconnect a service which has been terminated for nonpayment of bills or violation of Kenergy's rules or Kentucky Public Service Commission administrative regulations.
(c) Termination or Field Collection Charge - \$30.00 (overtime \$90.00) - This charge will be assessed when a Kenergy representative makes a trip to the premises of a customer for the purpose of terminating service.
(d) Special Meter Reading Charge - \$30.00 - This charge may be assessed when a customer requests that a meter be re-read, and the second reading shows the original reading was correct.

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Month / Date / Year
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Month / Date / Year
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TITLE President and CEO

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IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 30A

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE
Schedule 30 - Special Charges

(e) Meter Test Charge - \$45.00 - This charge will be assessed if a customer requests the meter be tested and the test shows the meter is not more than two (2) percent fast. No charge shall be made if the test shows the meter is more than two (2) percent fast.

(f) Returned Check Charge \$10.00 - A returned check charge will be assessed if a check accepted for payment of a bill is not honored by the customer's financial institution.

T Kenergy shall have the right to refuse to accept checks in payment of an account from any customer who has demonstrated poor credit risk by having two or more checks returned unpaid from a bank for any reason.

T Kenergy shall not accept a check to pay for and redeem another check or accept a two-party check for cash or payment of an account.

T When a customer has been mailed a notice of termination for non-payment and subsequently presents an insufficient check as payment, the original termination date will remain unchanged. The presentation of an insufficient funds check does not constitute payment of the account.

T (g) Late Payment Kenergy Charge - A 5% charge will be assessed if a customer fails to pay a bill for services within (20) days from the date the bill was rendered. The charge will be assessed only once on any bill for rendered services. Any payment received shall first be applied to the bill for service rendered. Additional charges shall not be assessed on unpaid charges.

DATE OF ISSUE September 3, 2008
Month / Date / Year

DATE EFFECTIVE October 3, 2008
Month / Date / Year

ISSUED BY [Signature]
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 30 (Exh. A)

CANCELLING PSC NO. 1

SHEET NO. _____

CLASSIFICATION OF SERVICE
Schedule 30 – Special Charges

Special Charges:

Non-Worked Hours:

	<u>Hours</u>	<u>Percent</u>
Total Hours	2,080	100.00%
Average Vacation	120	5.77%
Holidays	64	3.08%
R Sick Leave Days	32	1.54%
I Hours Worked	1,864	89.61%

R For every \$100 of labor paid, \$89.61 is paid for work and \$10.39 is paid for non-working hours. The allocation for Office and Service employees is as follows:

	<u>Hourly Rate</u>	<u>Percent</u>	<u>Non-Working Hourly Amount</u>
R Meter Reader/Service	\$21.05	10.39%	\$2.19
R Office/Clerical	\$20.47	10.39%	\$2.13

Other Costs Based on Regular Labor Worked:

% of Regular Labor Worked

	<u>2007</u>		
I Regular Wages	\$9,093,507	-	
R Health, Life, Disability	\$2,001,973	-	22.02%
R Pension	\$1,199,903	-	13.20%
R Payroll Taxes	\$ 753,425	-	8.29%
R Workers Comp.,	\$ 194,515	-	2.14%
R			<u>45.65%</u>

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(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED
Community, Town or City
PSC NO. 2
Original SHEET NO. 30 (Exh. B)
CANCELLING PSC NO. 1
SHEET NO.

CLASSIFICATION OF SERVICE
Schedule 30 - Special Charges

Table with columns: Return Check Charge, No. of Hours Worked, Est. Hours, Per Hour, Amount. Rows include Direct Labor Charge, Non-Worked Overhead, Other Cost Based on Reg. Labor Worked, Bank Charge, Total Charges.

Turn-On, Reconnect, Termination, Special Meter Reading, Meter Test

Table with columns: Meter Reader/Service, No. of Hours, Per Hour, Turn-On, Reconnect, Termination, Meter Reading, Overtime, Meter Tests. Rows include Direct Labor Charge, Non-Worked Overhead, Other Cost Based on Reg. Labor Worked, Mileage, Office Clerical, Direct Labor Charge, Non-Worked Overhead, Other Cost Based on Reg. Labor Worked, Total, Charge.

1 2 hrs. x \$21.05 x 1.5
2 2 hrs. x \$21.05 x 15.34% (13.20% + 2.14%)

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IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 31

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 31 – Smelter Customers Served Under Special Contracts (Class A)

The Kenergy Corp. Smelter Tariffs for service to Alcan Primary Products Corporation, assignee of Alcan Aluminum Corporation, and Century Aluminum shall consist of Schedule A to the Agreement for Electric Service between Kenergy Corp. and Alcan Aluminum Corporation and Century Aluminum dated July 15, 1998, which Schedule A is hereby incorporated by reference as though fully set out herein. Alcan Primary Products Corporation and Century Aluminum shall be obligated to pay in accordance with the rates, charges and other terms and conditions set forth in said Schedule A including the applicable retail fee.

Notwithstanding any provision to the contrary contained in the attached Schedule A to the Agreement for Electric Service, Alcan Primary Products Corporation and Century Aluminum may be obligated to pay to Kenergy Corp. a transmission surcharge if necessary to recover a portion of any unforeseen increases in Big Rivers' transmission costs due to the Smelters' load, as set forth in the Commission's Order dated July 14, 1998, in Case No. 98-267.

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TITLE President and CEO

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IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 32

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 32 - Large Industrial Customers Served Under Special Contract (Dedicated Delivery Points) - (Class B)

T

N

APPLICABLE

In all territory served.

AVAILABILITY OF SERVICE

T

To existing customers, Aleris and Kimberly Clark, and new customers executing special contracts approved by the Kentucky Public Service Commission.

RATE:

Customer Charge.....\$1,028 per Month

Plus:

Demand Charge of:

per KW of Billing Demand in Month.....\$10.15

Plus:

Energy Charge of:

per KWH.....\$0.013881

N

ADJUSTMENT CLAUSES:

The bill amount computed at the charges specified above shall be increased or decreased in accordance with the following:

Renewable Resource Energy Service Rider

Sheets No. 23 - 23D

Price Curtailable Service Rider

Sheets No. 42 - 42C

N

AGREEMENT

An "agreement for purchase of power" shall be signed by any new customer prior to service under the rate. Should the provisions of the expansion rate contained on Sheets No. 41 - 41G apply, additional language incorporating those provisions will be added to the agreement.

TAXES AND FEES

T

School Taxes added if applicable.

T

Kentucky Sales Taxes added if applicable.

FRANCHISE CHARGE

T

The rate herein provided shall include, where applicable, an additional charge for local government franchise payment determined in accordance with the Franchise Billing Plan as set forth on Sheet No. 105.

DATE OF ISSUE September 3, 2008 Month / Date / Year

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TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 32A

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 32 - Large Industrial Customers Served Under Special Contract (Dedicated Delivery Points) - Class B With Self-Generation

APPLICABLE

In all territory served.

AVAILABILITY OF SERVICE

To existing customer, Domtar, and new customers executing special contracts approved by the Kentucky Public Service Commission.

RATE:

Customer Charge.....\$1,028 per Month

Plus:

Demand Charge of:

per KW of Firm Billing Demand in Month.....\$10.15

Plus:

Energy Charge of:

per KWH Sold by Kenergy to Domtar.....\$0.013881

NOTE: Charges for backup and replacement power are billed per contract, which includes a \$0.000166 retail adder per KWH Consumed At Site.

ADJUSTMENT CLAUSES:

The bill amount computed at the charges specified above shall be increased or decreased in accordance with the following:

Renewable Resource Energy Service Rider
Price Curtailable Service Rider

Sheets No. 23 - 23D
Sheets No. 42 - 42C

AGREEMENT

An "agreement for purchase of power" shall be signed by any new customer prior to service under the rate. Should the provisions of the expansion rate contained on Sheets No. 41 - 41G apply, additional language incorporating those provisions will be added to the agreement.

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Month / Date / Year

DATE EFFECTIVE October 3, 2008

Month / Date / Year

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(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 32B

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 32 – Large Industrial Customers Served Under Special Contract
(Dedicated Delivery Points) – Class B With Self-Generation

T

TAXES AND FEES

- T School Taxes added if applicable.
- T Kentucky Sales Taxes added if applicable.

FRANCHISE CHARGE

T The rate herein provided shall include, where applicable, an additional charge for local government franchise payment determined in accordance with the Franchise Billing Plan as set forth on Sheet No. 105.

DATE OF ISSUE September 3, 2008
Month / Date / Year

DATE EFFECTIVE October 3, 2008
Month / Date / Year

ISSUED BY *Stanford Brock*
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 33

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 33 - Large Industrial Customers Served Under Special Contract (Dedicated Delivery Points) - (Class C)

APPLICABLE

In all territory served.

AVAILABILITY OF SERVICE

This rate shall apply to existing large customers where service is provided through a dedicated delivery point connected to the transmission system of Big Rivers or other accessible system classified as Class C customers, or new customers executing special contracts approved by the Kentucky Public Service Commission.

TYPE OF SERVICE

The electric service furnished under this schedule will be three-phase sixty cycle, alternating current at available nominal voltage.

RATE

Customer Charge per Delivery Point \$100.00 per Month

Plus:

Demand Charge per KW of Billing Demand in Month \$ 10.15

Plus:

Energy Charges:

Per KWH \$0.016715

Facilities Charge

1.30%

(times assigned dollars of Kenergy investment for facilities per month-see Sheet No.33B)

DETERMINATION OF BILLING DEMAND

The Billing Demand in kilowatts shall be the higher of: a) The customer's maximum integrated thirty-minute demand at such delivery point during each billing month, determined by meters which record at the end of each thirty-minute period the integrated kilowatt demand during the preceding thirty minutes; or b) the Contract Demand.

POWER FACTOR ADJUSTMENT

The customer agrees to maintain a power factor as nearly as practical to unity. Kenergy will permit the use of apparatus that shall result, during normal operation, in a power factor not lower than 90%. At Kenergy's option, in lieu of the customers providing the above corrective equipment when power factor is less than 90%, Kenergy may adjust the maximum measured demand for billing purposes in accordance with the following formula:

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TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 33A

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 33 - Large Industrial Customers Served Under Special Contract (Dedicated Delivery Points) - (Class C)

Max. Measured KW x 90% Power Factor (%)

The power factor shall be measured at time of maximum load.

METERING

Electrical usage will be metered at the transmission voltage supplied or at the customer's secondary voltage with a 1.0% adder to the metered KWH to account for transformer losses, as determined by Kenergy.

ADJUSTMENT CLAUSES

The bill amount computed at the charges specified above shall be increased or decreased in accordance with the following:

Renewable Resource Energy Service Rider Sheets No. 23 - 23D
Price Curtailable Service Rider Sheets No. 42 - 42C

AGREEMENT

An "agreement for purchase of power" shall be signed by any new customer prior to service under the rate. Should the provisions of the expansion rate contained on Sheets No. 41-41G apply, additional language incorporating those provisions will be added to the agreement.

TAXES AND FEES

School Taxes added if applicable.
Kentucky Sales Taxes added if applicable.

FRANCHISE CHARGE

The rate herein provided shall include, where applicable, an additional charge for local government franchise payment determined in accordance with the Franchise Billing Plan as set forth on Sheet No. 105.

TERMS OF PAYMENT

The above rates are net, the gross rate being five percent (5%) greater. In the event the current monthly bill is not paid within twenty (20) days from the date the bill was rendered, the gross rate will apply.

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Month / Date / Year

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Month / Date / Year

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(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 33B

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 33 - Large Industrial Customers Served Under Special Contract (Dedicated Delivery Points) - (Class C)

DETERMINATION OF FACILITIES CHARGE RATE

Table with columns: Line No., Item, Total. Rows include Distribution O&M Expense, Test Year A&G Acct. Expense, General Plant Depreciation Rate, etc.

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TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED

T



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 34 - 40

CANCELLING PSC NO. 1

SHEET NO. _____

CLASSIFICATION OF SERVICE

FOR FUTURE USE

DATE OF ISSUE September 3, 2008

Month / Date / Year

DATE EFFECTIVE October 3, 2008

Month / Date / Year

ISSUED BY *Stanford Norrick*

(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 41

CANCELLING PSC NO. 1

SHEET NO. _____

CLASSIFICATION OF SERVICE

Schedule 41 – Large Industrial Customers Served Under Special Contract for All Loads
Subject to the Big Rivers Large Industrial Customer Expansion Rate

AVAILABLE

This rate shall apply to those power requirements of any large customer with loads subject to service under terms and conditions set forth in the Large Industrial Customer Expansion Rate of Big Rivers Electric Corporation (Sheets 41B – 41G). This rate shall cease to be available should Big Rivers Large Industrial Expansion Rate be discontinued.

CONDITIONS OF SERVICE

Service hereunder shall be subject to the following conditions:

1. The customer must execute a written contract for electric service, or amend an existing contract; and
2. The customer's service characteristics must qualify all or some portion of the customer's load for service under the Big Rivers Large Industrial Customer Expansion Tariff; and
3. It shall be the responsibility of the customer to coordinate through Kenergy or its authorized agent all transactions that Kenergy must make on behalf of the customer pursuant to the Big Rivers Large Industrial Customer Expansion Tariff.

MONTHLY RATE

A. Wholesale Power Cost:

An amount equal to all the monthly charges levied by Big Rivers pursuant to the Big Rivers Large Industrial Customer Expansion Rate for wholesale electric service (including transmission service) hereunder.

B. Retail Adders:

Retail Adders shall be determined on a case-by-case basis for that portion of each consumer's load served under this tariff.

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(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 41A

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 41 - Large Industrial Customers Served Under Special Contract for All Loads Subject to the Big Rivers Large Industrial Customer Expansion Rate

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↓
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T

C. Adjustment Clauses:

The bill amount computed at the charges specified above shall be increased or decreased in accordance with the following:

Renewable Resource Energy Service Rider Sheets No. 23 - 23D
Price Curtailable Service Rider Sheets No. 42 - 42C

School Taxes added if applicable.

Kentucky Sales Taxes added if applicable.

FRANCHISE CHARGE

The rate herein provided shall include, where applicable, an additional charge for local government franchise payment determined in accordance with the Franchise Billing Plan as set forth on Sheet No. 105.

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Month / Date / Year

DATE EFFECTIVE October 3, 2008
Month / Date / Year

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(Signature of Officer)

TITLE President and CEO

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IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 41B

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 41 - Large Industrial Customers Served Under Special Contract for All Loads Subject to the Big Rivers Large Industrial Customer Expansion Rate

BIG RIVERS LARGE INDUSTRIAL CUSTOMER EXPANSION RATE

a. Availability

This schedule is available to any of the Member Cooperatives of Big Rivers for certain large industrial or commercial loads as specified in item (b) defining applicability. For all loads meeting the applicability criteria below, no other Big Rivers tariff rate will be available. As an alternative to this rate schedule, the Member Cooperative may negotiate a "Special Contract Rate" with Big Rivers for application on a case-by-case basis for loads meeting the applicability criteria below.

b. Applicability:

This schedule shall be applicable as follows:

- (1) To purchases made by a Member Cooperative for service to any New Customer initiating service after August 31, 1999, including New Customers with a QF as defined in Rate Schedule 9, that either initially contracts for five (5) MWs or more of capacity or whose aggregate peak load at any time amounts to five (5) MWs or greater (including any later increases to such load) in which case the entire load shall be thereafter subject to this rate schedule.
(2) To purchases made by a Member Cooperative for expanded load requirements of Existing Customers, including Existing Customers with a QF as defined in Rate Schedule 9, where: (i) the customer was in existence and served under the then effective Big Rivers Large Industrial Customer Rate Schedule any time during the Base Year and, (ii) the expanded load requirements are increases in peak load which in the aggregate result in a peak demand which is at least five (5) MWs greater than the customer's Base Year peak demand.
(3) To purchases made by a Member Cooperative for the expanded load requirements of Existing Customers, including Existing Customers with a QF as defined in Rate Schedule 9, where: (i) the customer's load was in existence and served through a Rural Delivery Point

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TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 41C

CANCELLING PSC NO. 1

SHEET NO. _____

CLASSIFICATION OF SERVICE

Schedule 41 – Large Industrial Customers Served Under Special Contract for All Loads
Subject to the Big Rivers Large Industrial Customer Expansion Rate

as defined in A.1.a.(3) of this Transaction Tariff; (ii) the expanded load requirements are increases in peak load which in the aggregate result in a peak demand which is at least five (5) MWs greater than the customer’s Base Year peak demand; and (iii) the customer requires service through a dedicated delivery point as defined in A.1.a.(2) of the Rules and Regulations Section of this Transaction Tariff.

c. Conditions of Service

To receive service hereunder, the Member Cooperative must:

- (1) Obtain from the customer an executed written contract or amend an existing contract, for electric service hereunder with terms acceptable to Big Rivers.
- (2) Enter into a contract with Big Rivers, or amend an existing contract with Big Rivers, to specify the terms and conditions of service between Big Rivers and the Member Cooperative regarding power supply for the customer.

d. Definitions

- (1) Base Year – “Base Year” shall mean the twelve (12) calendar months from September 1998 through August 1999.
- (2) Big Rivers – “Big Rivers” shall mean Big Rivers Electric Corporation.
- (3) Existing Customer – “Existing Customer” shall mean any customer of a Member Cooperative served as of August 31, 1999.
- (4) LEM – “LEM” shall mean LG&E Energy Marketing, Inc.
- (5) Member Cooperatives – As of the effective date of this tariff, “Member Cooperatives” shall mean collectively, Kenergy Corp., Jackson Purchase Energy Corporation, and Meade County Rural Electric Cooperative Corporation.

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Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 41D

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 41 – Large Industrial Customers Served Under Special Contract for All Loads Subject to the Big Rivers Large Industrial Customer Expansion Rate

- (6) New Customer – “New Customer” shall mean any customer of a Member Cooperative commencing service on or after September 1, 1999.
(7) OATT – “OATT” shall mean Big Rivers’ effective Open Access Transmission Tariff filed at the Federal Energy Regulatory Commission and/or the Kentucky Public Service Commission.
(8) Power Purchase Agreement – “Power Purchase Agreement” shall mean the Power Purchase Agreement between Big Rivers and LEM dated July 1998.
(9) Real Time Pricing – “Real Time Pricing” shall mean market pricing scheduled a day or week ahead, as requested by the Distribution Cooperative on behalf of the retail customer.
(10) SEPA – “SEPA” shall mean the Southeastern Power Administration.
(11) Special Contract Rate – “Special Contract Rate” shall mean a rate negotiated with a Distribution Cooperative to serve the load requirements of a New Customer or an Existing Customer, which will include, upon request by the Distribution Cooperative, rates based on Real Time Pricing.
(12) Third-Party Supplier – “Third-Party Supplier” shall mean any supplier of wholesale electric service to Big Rivers other than LEM pursuant to the Power Purchase Agreement or SEPA.

e. Expansion Demand and Expansion Energy:

- (1) Expansion Demand and Expansion Energy for the load requirements of a New Customer shall be the Member Cooperative’s total demand and energy requirements for the New Customer, including amounts sufficient to compensate for losses on the Big Rivers’ transmission system as set forth in Big Rivers’ OATT.
(2) Expansion Demand for the expanded load requirements of an Existing Customer shall be the amount in KW by which the customer’s Billing Demand exceeds the customer’s Base Year peak demand, plus an additional amount of demand sufficient to compensate for

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TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 41E

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 41 – Large Industrial Customers Served Under Special Contract for All Loads Subject to the Big Rivers Large Industrial Customer Expansion Rate

losses on the Big Rivers’ transmission system as set forth in Big Rivers’ OATT. In those months in which there is Expansion Demand, Expansion Energy shall be the amount in KWH by which the customer’s KWH usage for the current month exceeds the customer’s actual KWH usage for the corresponding month of the Base Year, plus an additional amount of KWH sufficient to compensate for losses on the Big Rivers’ transmission system as set forth in Big Rivers’ OATT.

f. Rates and Charges:

Expansion rate and charges shall be the sum of the following, including but not limited to Real-Time pricing:

(1) Expansion Demand and Expansion Energy Rates:

The Expansion Demand rates, Expansion Energy rates, or both shall be established to correspond to the actual costs of power purchased by Big Rivers from Third-Party Suppliers selected by Big Rivers from which Big Rivers procures the supply and delivery of the type and quantity of service required by the Member Cooperative for resale to its customer. Such monthly costs shall include the sum of all Third-Party Supplier charges, including capacity and energy charges, charges to compensate for transmission losses on Third-Party transmission systems, and all transmission and ancillary services charges on Third-Party transmission systems paid by Big Rivers to purchase such Expansion Demand and Expansion Energy and have it delivered to Big Rivers’ transmission system.

(2) Expansion Demand Transmission Rate:

Big Rivers shall assess unbundled charges for network transmission service on the Big Rivers’ Transmission System according to the rates in Big Rivers’ OATT applied to each KW taken as Expansion Demand.

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TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED
Community, Town or City
PSC NO. 2
Original SHEET NO. 41F
CANCELLING PSC NO. 1
SHEET NO.

Table with 1 row and 1 column: CLASSIFICATION OF SERVICE
Schedule 41 - Large Industrial Customers Served Under Special Contract for All Loads
Subject to the Big Rivers Large Industrial Customer Expansion Rate

(3) Ancillary Services Rates for Expansion Demand and Expansion Energy:

Big Rivers shall assess unbundled rates for all ancillary services required to serve load served under this rate schedule. Big Rivers shall supply the following six ancillary services as defined and set forth in Big Rivers' OATT: (1) Scheduling, System Control and Dispatch; (2) Reactive Supply and Voltage Control from Generation Sources Services; (3) Regulation and Frequency Response Service; (4) Energy Imbalance Service; (5) Operating Reserve - Spinning Reserve Service; and (6) Operating Reserve - Supplemental Reserve Service. Generation-based ancillary services required to serve customers may, at Big Rivers' option, be purchased separately from Third-Party Suppliers other than LEM, in which case the actual costs of such ancillary services shall be passed through to the respective Member Cooperative. Alternatively, where Big Rivers supplies such ancillary services from its own resources (including additional purchases from LEM), such services will be provided under Big Rivers' tariff rates for such services as contained in Big Rivers' OATT.

(4) Big Rivers Adder

In addition to the charges contained in Items 10(f)(1), (2) and (3), Big Rivers shall charge \$.38 per KW/month for each KW billed to the Member Cooperative under this tariff for resale by the Member Cooperative to the qualifying customer.

g. Meters

Big Rivers shall provide an appropriate meter to all Large Industrial Customer Delivery Point customers served under this rate schedule.

h. Billing Form:

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Month / Date / Year
ISSUED BY [Signature]
(Signature of Officer)
TITLE President and CEO

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IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 41G

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 41 - Large Industrial Customers Served Under Special Contract for All Loads Subject to the Big Rivers Large Industrial Customer Expansion Rate

D

TO: LARGE INDUSTRIAL CUSTOMER EXPANSION ACCOUNT
DELIVERY POINTS SERVICE FROM THRU
USAGE:
DEMAND/ TIME / DAY METER MULT. KW DEMAND
POWER FACTOR BASE PEAK AVERAGE BILLED
EXPANSION DEMAND ENERGY PREVIOUS PRESENT DIFFERENCE MULT. KW BILLED
EXPANSION ENERGY KWH USED
EXPANSION ENERGY KWH USED

EXPANSION DEMAND & EXPANSION ENERGY

EXPANSION DEMAND, INCLUDING LOSSES KW TIMES \$ EQUALS \$
P/F PENALTY KW TIMES \$ EQUALS \$
EXPANSION ENERGY, INCLUDING LOSSES KWH TIMES \$ EQUALS \$
OTHER EXPANSION SERVICE CHARGES EQUALS \$
SUBTOTAL \$

EXPANSION DEMAND TRANSMISSION

LOAD RATIO SHARE OF NETWORK LOAD \$

EXPANSION DEMAND & EXPANSION ENERGY ANCILLARY SERVICES

SCHEDULING, SYSTEM CONTROL & DISPATCH SERVICE \$
REACTIVE SUPPLY & VOLTAGE CONTROL FROM GENERATION SOURCES SERVICE \$
REGULATION & FREQUENCY RESPONSE SERVICE \$
ENERGY IMBALANCE SERVICE \$
OPERATING RESERVE-SPINNING RESERVE SERVICE \$
OPERATING RESERVE-SUPPLEMENTAL RESERVE SERVICE \$

BIG RIVERS ADDER

EXPANSION DEMAND KW TIMES \$ EQUALS \$

RETAIL ADDER

D N ADJUSTMENT CLAUSES

TAXES
FRANCHISE CHARGE

TOTAL AMOUNT DUE \$

LOAD FACTOR ACTUAL MILLS PER KWH DUE IN IMMEDIATELY AVAILABLE FUNDS ON OR BEFORE THE FIRST WORKING DAY AFTER THE 24TH OF THE MONTH.

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ISSUED BY [Signature]
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 42

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 42 - Price Curtailable Service Rider

AVAILABLE

This Rider is available for use in conjunction with Big Rivers' Voluntary Curtailable Service Rider - Schedule 11 for Curtailable Service offered by Kenergy Corp. to individual customers (CS Customers) capable of curtailing at least 1,000 KW of load upon request. This service rider excludes aluminum smelters served under separate power supply agreements.

CONDITIONS OF SERVICE

- 1. Any request for curtailment under this Rider shall be made by Kenergy Corp. or Big Rivers acting as its agent. Each request for curtailment shall set forth the Terms of Curtailment in accordance with this Rider.
2. Each curtailment will be voluntary and the CS Customer may accept or decline the Terms of Curtailment.
3. Big Rivers, Kenergy and the CS Customer shall mutually agree in writing upon the method which shall be used to provide notification of a curtailment request under the provisions of this Rider.
4. Kenergy, or Big Rivers acting as its agent, will endeavor to provide as much advance notice as possible of requests for curtailments under this Rider including an estimate of the duration of such curtailments.
5. No responsibility or liability of any kind shall attach to or be incurred by Kenergy for, or on account of, any loss, cost, expense or damage caused by or resulting from, either directly or indirectly, any notice of curtailment or curtailment of service under the provisions of this Rider.
6. Kenergy reserves the right to require verification of a CS Customer's ability to curtail its load. Inability to provide verification will be considered by Kenergy and Big Rivers when prioritizing requests for curtailment.

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Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

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CLASSIFICATION OF SERVICE

Schedule 42 - Price Curtailable Service Rider

- 7. The CS Customer shall not receive a Curtailment Savings Payment for any curtailment period in which the CS Customer's curtailable load is already down for an extended period due to a planned or unplanned outage as a result of vacation, renovation, repair, refurbishment, force majeure, strike or any event other than the customer's normal operating conditions.

CS CURTAILMENT PROFILES

Each CS Customer shall submit a CS Curtailment Profile form. CS Curtailment Profiles shall include the following information:

- 1. The maximum number of hours per day that the CS Customer will agree to curtail.
2. The maximum number of days and maximum number of consecutive days by month that the CS Customer will agree to curtail.
3. The minimum Curtailment Price at which each CS Customer is willing to curtail.
4. The minimum Curtailable Demand and the Maximum Curtailable Demand curtailable by the CS Customer upon request.
5. The CS Customer may modify the Curtailment Profile upon thirty (30) days advance notice in writing.

CURTAILED DEMAND AND ENERGY

Hourly Curtailed Demands of a CS Customer shall be determined for each curtailment period for which the CS Customer has accepted the Terms of Curtailment.

For each curtailment period, Hourly Curtailed Demands of each CS Customer shall be defined as the differences between the CS Customer's Demand Requirements and the actual demands measured in each hour of the curtailment period. The Demand Requirements may generally be the average of the CS Customer's demands measured in the hours prior to the hour immediately preceding the curtailment period, provided that Kenergy may use an average of the demands measured in any two or more of the four hours

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CLASSIFICATION OF SERVICE
Schedule 42 - Price Curtailable Service Rider

to provide a more representative estimate of the CS Customers' Hourly Curtailed Demands. The Curtailment Energy of each curtailment period shall be the sum of the Hourly Curtailed Demands.
TERMS OF CURTAILMENT

Kenergy or Big Rivers, acting as its agent, shall inform the CS Customer of a curtailment request in accordance with the agreed upon method of notification, at which time the Terms of Curtailment shall be defined. The Terms of Curtailment shall include the following:

- 1. The time at which each curtailment period shall begin is to be established by Big Rivers. At least one (1) hour advance notice of each request for curtailment shall be provided.
2. The requested curtailment duration in clock hours to be established by Big Rivers.
3. The Curtailment Price to be offered by Big Rivers and to be paid by Kenergy for each curtailment. The Curtailment Price shall be determined by Big Rivers on a case-by-case basis but in each case shall not be less than the Minimum Curtailment Price.
4. The CS Customer shall specify:
a. The demand in KW (Curtailable Demand) that will be curtailed during the curtailment period, which shall not be less than the Minimum Curtailable Demand.
b. The Maximum Curtailment Period Demand (MCPD) to be purchased by the CS Customer during the curtailment period, which shall be the maximum hourly demand to be delivered by Kenergy to the CS Customer.

CURTAILMENT SAVINGS PAYMENT

The Curtailment Savings Payment for each curtailment period shall be the amount received by Kenergy on account of the CS Customer pursuant to Big Rivers' Voluntary Price Curtailable Service Rider.

MONTHLY SAVINGS PAYMENT

The Monthly Savings Payment shall be equal to the sum of the Curtailment Savings Payments for the calendar month, less any charges incurred by Kenergy for Excess Energy on account of the CS Customer. The Monthly Savings Payment will be paid directly to the CS Customer by check or billing credit upon receipt of same from Big Rivers pursuant to the Big Rivers Voluntary Price Curtailable Service Rider.

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CLASSIFICATION OF SERVICE
Schedule 42 – Price Curtailable Service Rider

CHARGES FOR EXCESS ENERGY

For any CS Customer whose Curtailable Demand is equal to or greater than 5,000 KW, should the Hourly Curtailed Demand be less than 75% of the Curtailable Demand in any hour of the curtailment period, then the Excess Demand for that hour shall be the difference between the Hourly Curtailed Demand and 75% of the Curtailable Demand. There will be no Excess Demand for any CS Customer who's Curtailable Demand is less than 5,000 KW. Excess Energy is the sum of any hourly Excess Demands. Any Excess Energy recorded during a curtailment period shall be charged at 150% of the Curtailment Price, in addition to the charges contained in the standard applicable rate for electric service. For any CS Customer who's Hourly Curtailed Demand is less than 75% of their Curtailable Demand, Kenergy may not, at its discretion, allow such CS Customer to benefit from future curtailment opportunities.

TERM

Contracts under this Rider may be made for an initial period of one (1) year and shall remain in effect thereafter until either party provides to the other at least thirty (30) days written notice prior to the start of the next year of its intention to discontinue service under the terms of this Rider.

SPECIAL TERMS AND CONDITIONS

CS Customer information, including, but not limited to, CS Curtailment Profiles, shall remain confidential.

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Henderson, Kentucky

FOR ALL TERRITORY SERVED

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PSC NO. 2

Original SHEET NO. 43

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 43 – Small Power Production or Cogeneration (Under 100 KW)
(Customer Sells Power to Kenergy)

AVAILABLE

T Available only to qualifying small power production or cogeneration facilities, 100 KW or below, which have executed an "Agreement for Purchase of Electric Energy" with Kenergy.

RATE SCHEDULE

Base payment of \$.0204 per KWH

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CLASSIFICATION OF SERVICE

Schedule 44 – Small Power Production or Cogeneration (Over 100 KW)
(Customer Sells Power to Big Rivers)

AVAILABLE

Kenergy shall not be required to purchase the energy output of a qualifying small power production or cogeneration facilities having a total design capacity over 100 KW. A qualifying cogeneration or small power production facility having a total design capacity over 100 KW may sell its output directly to Big Rivers Electric Corporation pursuant to rates, terms and conditions, offered by Big Rivers.

BIG RIVERS COGENERATION AND SMALL POWER PRODUCTION PURCHASE TARIFF - OVER 100 KW

a. Availability:

Available to any customer of a Member Cooperative who qualifies as a cogenerator or small power producer pursuant to Regulation 807 KAR 5:054 of the Kentucky Public Service Commission.

b. Terms and Conditions:

- (1) The cogeneration or small power production facility must have a total design capacity over 100 KW.
(2) All power from a QF purchased under this tariff will be sold to Big Rivers.
(3) The QF must provide good quality electric power within a reasonable range of voltage, frequency, flicker, harmonic currents, and power factor.
(4) QF shall provide reasonable protection for Big Rivers and the Member Cooperative's system.
(5) QF shall design, construct, install, own, operate, and maintain the Qualifying Facility in accordance with all applicable codes, laws, regulations, and generally accepted utility practices.

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CLASSIFICATION OF SERVICE

Schedule 44 – Small Power Production or Cogeneration (Over 100 KW)
(Customer Sells Power to Big Rivers)

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- (6) QF shall reimburse Big Rivers and the Member Cooperative for all costs incurred as a result of interconnecting with the QF, including operation, maintenance, administration, and billing.
(7) QF shall enter into a written contract with Big Rivers. Such contract shall set forth any specific arrangements between the parties based on the individual circumstances so involved.

c. Definitions:

- (1) Big Rivers – “Big Rivers” shall mean Big Rivers Electric Corporation.
(2) LEM – “LEM” means LG&E Energy Marketing, Inc.
(3) Member Cooperatives – As of the effective date of this tariff, “Member Cooperatives” means collectively, Kenergy Corp., Jackson Purchase Energy Corporation and Meade County Rural Electric Cooperative Corporation.
(4) Power Purchase Agreement – “Power Purchase Agreement” means the Power Purchase Agreement between Big Rivers and LEM dated July 1998.
(5) QF – “QF” means a cogeneration or small power production facility meeting the criteria for Qualifying Facility of Section 4 of 807 KAR 5:054.
(6) Third Party Supplier – “Third Party Supplier” means any supplier of wholesale electric service to Big Rivers other than SEPA or LEM pursuant to the Power Purchase Agreement.

d. Rates for Purchases from QFs:

(1) Capacity Purchase Rates:

Big Rivers presently has no avoided capacity costs and the Capacity Purchase Rate is, therefore, zero. At such time when it becomes necessary for Big Rivers to procure additional system capacity or energy beyond that available under the Power Purchase

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(Customer Sells Power to Big Rivers)

Agreement and from SEPA, then Big Rivers will determine its avoided costs for capacity, energy or both for power requirements in excess of those amounts available under the Power Purchase Agreement and from SEPA.

(2) Firm Energy Purchase Rates:

The Energy Purchase Rates in each month shall be based upon Big Rivers' actual avoided cost for energy in each hour of the month, plus applicable losses, and shall be the lesser of:

- (i) The applicable Base Power rate as specified in Section 6.3(a) of the Power Purchase Agreement; plus Base Power Rate Adjustment; if any, as specified in Section 6.3(b) of the Power Purchase Agreement; minus, applicable penalty to the Base Power rate in any hour in which an Hourly Deficit occurs pursuant to Section 6.4(b) of the Power Purchase Agreement; or,
(ii) The actual price in \$ per MWH paid by Big Rivers for energy purchased from a Third Party Supplier in each hour of the month.

(e) Failure to Generate:

The QF shall indemnify Big Rivers for any and all additional costs incurred as a result of the QF's failure to generate, including without limitation, costs of ancillary services necessary to maintain reliability on the Big Rivers' system.

(f) System Emergencies:

During system emergencies, Big Rivers may discontinue purchases or the QF may be required to provide energy or capacity in accordance with 807 KAR 5:054 - Section 6.

(g) Interconnections:

Big Rivers requires a three-party interconnection agreement between the QF Member, Big Rivers, and the Member Cooperative prior to service under this tariff. Big Rivers shall make interconnections with the Member Cooperative, the QF Member, or both as required and the

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Schedule 44 – Small Power Production or Cogeneration (Over 100 KW)
(Customer Sells Power to Big Rivers)

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QFMember will pay for the interconnection costs in accordance with 807 KAR 5:054 – Section 6 and the interconnection agreement.

(h) Loss Compensation:

Power and energy purchased by Big Rivers pursuant to this rate schedule which must be transmitted to Big Rivers' transmission system across or through utilities owned by a Member Cooperative shall be subject to an adjustment to reflect losses between the QF and the point of delivery to the Big Rivers transmission system.

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PSC NO. 2
Original SHEET NO. 45
CANCELLING PSC NO. 1
SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 45 - Small Power Production or Cogeneration (Over 100 KW)
(Customer Buys Power from Kenergy)

AVAILABLE

This tariff is applicable to QF Members with a total capacity requirement of 100 KW or more with on-site generation of 100 KW or more operating in excess of 200 hours per year.

APPLICABLE

Applicable to any QF Members for which the Corporation is subject to the Big Rivers Cogeneration and Small Power Producer Sales Tariff for that energy sold to the QF Member.

DEFINITIONS

- (1) Big Rivers - "Big Rivers" shall mean Big Rivers Electric Corporation.
(2) QF - "QF" means a cogeneration or small power production facility meeting the criteria for Qualifying Facility of Section 4 of 807 KAR 5:054 and are certified or self-certified pursuant to FERC regulations.
(3) QF Member - "QF Member" means a member of a Member Cooperative with a QF.

CONDITIONS OF SERVICE

To receive services hereunder, the QF Member must 1) execute a written contract for electric service on terms acceptable to Big Rivers and the Cooperative and that allows the Cooperative to satisfy all of the requirements to obtain services from Big Rivers pursuant to the Big Rivers Cogeneration and Small Power Producer Sales Tariff - Over 100 KW.

MONTHLY RATE

A. Wholesale Power Cost:

An amount equal to all the monthly charges levied by Big Rivers pursuant to the Big Rivers Cogeneration and Small Power Producer Sales Tariff - Over 100 KW for wholesale electric service (including transmission service) hereunder.

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B. Retail Adders:

Retail Adders shall be determined on a case-by-case basis for that portion of each consumer's load served under this tariff.

School Taxes added if applicable.

Kentucky Sales Taxes added if applicable.

ADJUSTMENT CLAUSES

The bill amount computed at the charges specified above shall be increased or decreased in accordance with the following:

- Renewable Resource Energy Service Rider Sheets No. 23 - 23D
Price Curtailable Service Rider Sheets No. 42 - 42C

FRANCHISE CHARGE

The rate herein provided shall include, where applicable, an additional charge for local government franchise payment determined in accordance with the Franchise Billing Plan as set forth on Sheet No. 105.

BIG RIVERS COGENERATOR AND SMALL POWER PRODUCER SALES TARIFF - OVER 100 KW

(a) Availability

Available to any Member Cooperative for service to any member of the Member Cooperative with a cogeneration and/or small power production facility (i) that has a net output of less than 5,000 KW and (ii) which meets the criteria for Qualifying Facility of 807 KAR 5:054 - Section 4 and are certified or self-certified pursuant to FERC regulations. Charges for the services under this tariff to any Member Cooperative for service to any member of the Member Cooperative with a cogeneration and/or small power production facility which equals or exceeds 5,000 KW in net output shall be established by special contract. Big Rivers encourages, as an alternative to this tariff

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Schedule 45 – Small Power Production or Cogeneration (Over 100 KW)
(Customer Buys Power from Kenergy)

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and the charges provided herein, that a Member Cooperative negotiate a special contract with Big Rivers to meet the requirements of any retail member for the services provided for in this tariff.

b. Applicability:

Applicable to purchases made by a Member Cooperative for service to any QF Member of a Member Cooperative with a total capacity requirement of 100 KW or more with on-site generation of 100 KW or more operating in excess of 200 hours per year, electrically engineered so that it can meet part or all of its load with its own generation, for service not covered by one of Big Rivers' other rates. The QF Member shall have the option to provide all or part of its load with its own generation in which case that portion of the QF Member's load requirements not met by the QF, shall be provided to the Member Cooperative under this tariff and all requirements for back-up or maintenance service for the QF Member shall be provided under this tariff. Otherwise, the QF Member may sell all of the output of its QF in which case the QF Member's load requirements shall be provided to the Member Cooperative under the terms and conditions of one or more of Big Rivers' standard rates applicable to the load requirements and type of service of the QF Member.

c. Definitions:

- (1) Big Rivers – "Big Rivers" shall mean Big Rivers Electric Corporation.
(2) LEM – "LEM" means LG&E Energy Marketing, Inc.
(3) Member Cooperative – As of the effective date of this tariff, "Member Cooperatives" means collectively, Kenergy Corp., Jackson Purchase Energy Corporation and Meade County Rural Electric Cooperative Corporation.

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(Customer Buys Power from Kenergy)

- (4) Off-System Sales Transaction - "Off-System Transaction" means sales of electric energy by Big Rivers other than to the Member Cooperatives, Oglethorpe Power, HMP&L, and Hoosier Energy pursuant to the Power Purchase Agreement.
(5) Power Purchase Agreement - "Power Purchase Agreement" means the Power Purchase Agreement between Big Rivers and LEM dated July 1998.
(6) QF - "QF" means a cogeneration or small power production facility meeting the criteria for Qualifying Facility of Section 4 of 807 KAR 5:054 and are certified or self-certified pursuant to FERC regulations.
(7) QF Member - "QF Member" means a member of a Member Cooperative with a QF.
(8) Third Party Supplier - "Third Party Supplier" means any supplier of wholesale electric service to Big Rivers other than SEPA or LEM pursuant to the Power Purchase Agreement.

d. Conditions of Service:

To receive service hereunder, the Member Cooperative must:

- (1) Obtain from the QF Member an executed, written contract for electric service hereunder on terms acceptable to Big Rivers. Such contract shall set forth any specific arrangements between the parties based on individual circumstances and shall:
(i) Specify the maximum capacity to be made available to the QF Member on an unscheduled basis in any hour (Maximum Unscheduled Capacity), and

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CLASSIFICATION OF SERVICE

Schedule 45 - Small Power Production or Cogeneration (Over 100 KW)
(Customer Buys Power from Kenergy)

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- (ii) If desired by the QF Member, specify the terms and conditions for the delivery of Maintenance Service, and
(iii) If desired by the QF Member, specify the capacity of on-site generation for which interruptible unscheduled back-up and interruptible scheduled maintenance power may be provided, and
(iv) Specify any other term or condition which the Member Cooperative or Big Rivers may require for service used by a QF Member, taking into account the nature of use, the quality used, the quantity used, the time when used, the purpose for which used, and any other reasonable consideration, and

(2) Enter into a contact with Big Rivers, or amend an existing contract with Big Rivers, to specify the terms and conditions of service between Big Rivers and the Member Cooperative regarding the power supply for the QF Member.

e. For each QF Member, the Member Cooperative will be billed monthly for:

- (1) Supplementary Service (capacity and energy).
(2) Unscheduled Back-Up Service, if any (capacity charge only).
(3) Maintenance Service (capacity and energy), if any.
(4) Excess Demand, if any.
(5) Additional charges, if any.

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PSC NO. 2

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Schedule 45 – Small Power Production or Cogeneration (Over 100 KW)
(Customer Buys Power from Kenergy)

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f. Monthly Charges for Sales to a Member Cooperative for Service to a QF Member:

(1) Supplementary Service:

Supplementary demand shall be the QF Member's highest actual demand (adjusted for distribution losses if applicable) measured during the month, excluding Scheduled Maintenance Demand up to but not exceeding the actual measured demands in each demand interval during a Maintenance Schedule, and supplementary energy shall be the actual measured energy (adjusted for distribution losses if applicable), excluding Maintenance Energy sold to the QF by the Member Cooperative in each month. The monthly charges for supplementary demand and energy shall be:

\$7.37 per KW of Supplementary Demand

\$0.0204 per KWH of Supplementary Energy

(2) Unscheduled Back-Up Service:

Unscheduled Back-Up Demand is the QF Member's Maximum Unscheduled Capacity minus the Supplementary Billing Demand for the month. In months in which Maintenance Service has been Scheduled, appropriate credit for Scheduled Maintenance Demand shall be applied to the Unscheduled Back-Up Demand such that the Member Cooperative will not be charged for Unscheduled Back-Up Demand in addition to Scheduled Maintenance Demand when Scheduled Maintenance Service is being provided. The monthly charges to a Member Cooperative for Unscheduled Back-Up Demand shall be:

\$7.37 per KW of Unscheduled Back-Up Demand

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Henderson, Kentucky

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Maximum Unscheduled Capacity shall initially be the amount as specified by the QF Member per contract with the Member Cooperative, but in no case less than the actual demand delivered in any month, including the current month. Big Rivers will accept a reduction in the Maximum Unscheduled Capacity upon twelve (12) months advance notice from the Member Cooperative. Said notice must specify the reduction in KWs and the basis for the lower requirement. All energy shall be billed as either supplementary energy or maintenance energy.

(3) Maintenance Service:

Maintenance Service shall be available to a Member Cooperative to back-up a QF Member's QF only if the Member Cooperative has scheduled delivery of the maintenance services in advance with Big Rivers. The Member Cooperative may schedule up to four weeks of seven consecutive days each per year of such service for a QF Member, subject to scheduling of such usage by Big Rivers. The Member Cooperative may reschedule at any time by giving forty-eight (48) hours notice to Big Rivers. Scheduled Maintenance Demand may not exceed the design capacity of the QF Member's QF. Maintenance Service will be available on an on-peak or off-peak basis. The selection of on-peak Maintenance Service entitles the Member Cooperative to schedule the service for the QF Member at any time. The selection of off-peak Maintenance Service entitles the Member Cooperative to schedule the service for the QF Member only during those hours not designated as on-peak. The designated on-peak hours are as follows:

- (i) Summer on-peak usage is defined as power requirements occurring between the hours beginning 6:00 AM and ending 10:00 PM on any weekday from May 1 through September 30.

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ISSUED BY Sanford Horick
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 45G

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 45 – Small Power Production or Cogeneration (Over 100 KW)
(Customer Buys Power from Kenergy)

- (ii) Winter on-peak usage is defined as power requirements occurring between the hours beginning 6:00 AM and ending 10:00 PM on any weekday from December 1 through March 31.
(iii) Off-peak usage is defined as all power requirements not included in paragraph (i) or (ii).

The charges for On-peak Maintenance Service shall be the greater of:

- (i) \$1.835 per KW of Scheduled Maintenance Demand per week, plus \$0.0204 per KWH of Maintenance Energy; or
(ii) 110% of the price at the time of scheduling of a block of energy obtainable by Big Rivers in the futures market which is sufficient to meet the Member Cooperative's scheduled Maintenance Service requirements.

The charges for Off-peak Maintenance Service shall be:

\$1.835 per KW of Scheduled Maintenance Demand per week, plus
\$0.0204 per KWH of Maintenance Energy.

Maintenance Energy shall be the amount of energy purchased by the Member Cooperative for the QF Member in each hour during Scheduled Maintenance Service up to but not exceeding the Scheduled Maintenance Demand in each hour.

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IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED
Community, Town or City
PSC NO. 2
Original SHEET NO. 45H
CANCELLING PSC NO. 1
SHEET NO.

Table with 1 row and 1 column: CLASSIFICATION OF SERVICE
Schedule 45 - Small Power Production or Cogeneration (Over 100 KW)
(Customer Buys Power from Kenergy)

T

(4) Excess Demand:

Excess Demand is the amount in any hour by which the actual demand, less any Maintenance Demand, exceeds the previously established Maximum Unscheduled Capacity. Charges for Excess Demand shall in addition to the charges for Supplementary Service and shall be either:

- (i) One hundred-ten percent (110%) of Big Rivers' actual cost, including transmission service, to import energy from a Third Party supplier to supply the Excess Demand of the Member Cooperative for the QF Member; or
(ii) If it is not necessary for Big Rivers to import energy from a Third Party Supplier, charges for Excess Demand shall be the greater of: a) \$7.37 per KW times the highest Excess Demand recorded during the month; or b) 110% of the highest price received by Big Rivers during an Off-System Sales Transactions during the month times the sum of the Excess Demands measured during the month.

Big Rivers shall be the sole determinant of when and under what circumstances it is required to import energy from a Third Party Supplier to provide Excess Demand.

(5) Additional Charges:

Any and all costs incurred by Big Rivers as a result of the QF's failure to generate, including, without limitation, ancillary services necessary to maintain reliability on the Big Rivers' system, shall be charged to the Member Cooperative in addition to all other charges.

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BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED
Community, Town or City
PSC NO. 2
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Table with 1 row and 1 column: CLASSIFICATION OF SERVICE
Schedule 45 - Small Power Production or Cogeneration (Over 100 KW)
(Customer Buys Power from Kenergy)

(6) Interruptible Service:

Interruptible Supplementary Service or Interruptible Back-up Service will be made available, upon request. Terms and conditions of interruptible service will be as negotiated under special contract according to the terms of 807 KAR 5:054.

g. Interconnections:

Big Rivers requires a three-party interconnection agreement between the QF Member, Big Rivers, and the Member Cooperative prior to service under this tariff. Big Rivers shall make interconnections with the Member Cooperative, or the QF Member, or both as required and the QF Member will pay for the interconnection costs in accordance with 807 KAR 5:054 - Section 6 and the interconnection agreement.

h. System Emergencies:

During System Emergencies, Big Rivers may discontinue sales in accordance with 807 KAR 5:054 - Section 6.

i. Loss Compensation:

Power and energy delivered by Big Rivers pursuant to this rate schedule shall be metered at or compensated by Big Rivers' point of delivery to the Member Cooperative. Where metering of the QF Member's load is at a point of delivery on a Member Cooperative's distribution system, metered demand and energy shall be adjusted to compensate for distribution losses prior to billing hereunder.

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BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 45J

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 45 - Small Power Production or Cogeneration (Over 100 KW)
(Customer Buys Power from Kenergy)

BILLING FORM

INVOICE

Kenergy Corp., P.O. BOX 18, HENDERSON, KY 42419-0024

TO: COGENERATOR AND SMALL POWER PRODUCER SALES ACCOUNT
DELIVERY POINTS SERVICE FROM THRU
USAGE: DEMAND / TIME / DAY METER MULT. KW DEMAND
POWER FACTOR BASE PEAK AVERAGE BILLED
SUPPLEMENTAL DEMAND KW DEMAND
UNSCHEDULED BACK-UP DEMAND KW DEMAND
MAINTENANCE DEMAND KW DEMAND
EXCESS DEMAND KW DEMAND
CUMULATIVE EXCESS DEMAND KW DEMAND
ENERGY PREVIOUS PRESENT DIFFERENCE MULT. KWH USED
SUPPLEMENTAL ENERGY KWH USED
MAINTENANCE ENERGY KWH USED

SUPPLEMENTARY SERVICE

DEMAND KW TIMES \$ EQUALS \$
P/F PENALTY KW TIMES \$ EQUALS \$
ENERGY KWH TIMES \$ EQUALS \$
SUBTOTAL \$

UNSCHEDULED BACK-UP SERVICE

DEMAND KW TIMES \$ EQUALS \$

MAINTENANCE SERVICE ON-PEAK

DEMAND PER-WEEK (IF APPLICABLE) KW TIMES \$ EQUALS \$
ENERGY (IF APPLICABLE) KWH TIMES \$ EQUALS \$

DATE OF ISSUE September 3, 2008
Month / Date / Year

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TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 45K

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 45 - Small Power Production or Cogeneration (Over 100 KW)
(Customer Buys Power from Kenergy)

SCHEDULED ENERGY BLOCK (IF APPLICABLE)

TOTAL AMOUNT DUE \$

OFF-PEAK

DEMAND PER-WEEK ENERGY KW TIMES \$ EQUALS \$
KWH TIMES \$ EQUALS \$

SUBTOTAL \$

EXCESS SERVICE

EXCESS DEMAND (IF APPLICABLE) KW TIMES \$ EQUALS \$
CUMMULATIVE EXCESS DEMAND (IF APPLICABLE) KW TIMES \$ EQUALS \$
IMPORTED EXCESS ENERGY (IF APPLICABLE) KWH TIMES \$ EQUALS \$
TOTAL AMOUNT DUE \$

ADDITIONAL CHARGES

TOTAL AMOUNT DUE \$

D

LOAD FACTOR ACTUAL

MILLS PER KWH

DUE IN IMMEDIATELY AVAILABLE FUNDS ON OR BEFORE THE FIRST WORKING DAY AFTER THE 24TH OF THE MONTH.

DATE OF ISSUE September 3, 2008
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ISSUED BY Sanford Novick
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 46

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 46 - Net Metering

APPLICABLE

In all territory served.

AVAILABILITY OF SERVICE

To all customers who own and operate an eligible electric generating facility that is located on the customer's premises, for the primary purpose of supplying all or part of the customer's own electricity requirements. "Eligible electric generating facility" means an electric generating facility that: (a) is connected in parallel with Kenergy's electric distribution system; (b) generates electricity using solar energy; and (c) has a rated capacity of not greater than fifteen (15) kilowatts.

NOTIFICATION; INSPECTION

A. The customer shall submit a completed Net Metering Program Notification Form (Attachment 1) to Kenergy at least 60 days prior to the date the customer desires to interconnect an eligible electric generating facility to Kenergy's facilities. The customer shall have all equipment necessary to complete the interconnection installed prior to such notification. The notification shall be delivered to Kenergy or mailed by certified mail, return receipt requested. Customer may interconnect on the date stated in the form unless Kenergy notifies customer in writing of noncompliance prior to said date.

B. Kenergy may require an on-site inspection and may impose a fee on the customer of not more than \$50.00 for such inspection. If Kenergy conducts an on-site inspection and determines that customer is not in compliance with the tariff, customer shall be so notified and shall bring the electric generating facility into compliance within 30 days or shall be required to file a new completed Net Metering Program Notification Form.

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Month / Date / Year

ISSUED BY Sanford Knuck
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TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 46A

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 46 - Net Metering

METERING

T Kenergy shall utilize a standard kilowatt-hour meter capable of registering (but not necessarily displaying) the flow of electricity in two (2) directions. Any additional meter, meters or distribution upgrades needed to monitor the flow in each direction shall be installed at the customer's expense. If additional meters are installed, the net metering calculation shall yield the same result as when a single meter is used. "Kilowatt hour" means a measure of electricity defined as a unit of work of energy, measured as one (1) kilowatt of power expended for one (1) hour. "Net metering" means measuring the difference between the electricity supplied by the electric grid and the electricity generated by the customer that is fed back to the electric grid over a billing period.

BILLING

T A. The amount of electricity billed to the customer shall be calculated by taking the difference between the electricity supplied by Kenergy to the customer and the electricity generated and fed back by the customer. If time-of-day or time-of-use metering is used, the electricity fed back to the electric grid by the customer shall be net-metered and accounted for at the specific time it is fed back to the electric grid in accordance with the time-of-day or time-of-use billing agreement with the customer then currently in place.

T B. If the electricity supplied by Kenergy exceeds the electricity generated and fed back to Kenergy during the billing period, the customer shall be billed for the net electricity supplied. If the electricity fed back to Kenergy by the customer exceeds the electricity supplied by Kenergy during a billing period, the customer shall be credited for the excess kilowatt-hours, and this electricity credit shall appear on the customer's next bill.

C. The energy rates, rate structure, and monthly charges shall be identical to those in the contract or tariff to which the customer would be assigned if the customer were not receiving service under this tariff.

D. Excess electricity credits are not transferable between customers or locations.

E. No cash refund for residual generation-related credits shall be paid if an account under this tariff is closed.

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ISSUED BY Sanford Novack
(Signature of Officer)

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IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 46B

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 46 - Net Metering

NET METERING SERVICE INTERCONNECTION GUIDELINES

The customer shall operate the eligible electric generating facility in parallel with the cooperative system under the following conditions and any other conditions that may be required by Kenergy where unusual conditions arise that are not covered herein:

- (1) The electric generating facility shall include, but not be limited to, necessary control equipment to synchronize frequency, voltage, etc. between customer's and Kenergy's systems as well as adequate protective equipment between the two (2) systems. Customer's voltage at the point of interconnection will be the same as Kenergy's system voltage.
(2) Customer shall be responsible for operating all facilities owned by customer, except as specified hereinafter. Customer shall maintain its system in synchronization with Kenergy's system.
(3) Customer will be responsible for any damage to Kenergy's equipment due to failure of customer's control, safety or other equipment.
(4) Kenergy, at its discretion, may require a suitable, lockable, Kenergy accessible, load breaking manual disconnect switch or similar equipment, as specified by Kenergy, to be furnished by customer at a location designated by Kenergy to enable the separation or disconnection of the two (2) electrical systems. The load breaking manual disconnect switch must be accessible to Kenergy at all times.
(5) After initial installation, customer shall not make any changes to the electric generating facility without the written consent of Kenergy.
(6) Kenergy shall have the right from time to time to inspect customer's generating facility and conduct any tests necessary to determine that such facility is installed and operating properly. However, Kenergy will have no obligation to inspect, witness tests, or in any manner be responsible for customer's facility or operation.

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ISSUED BY [Signature]
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

OR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

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SHEET NO. _____

CLASSIFICATION OF SERVICE

Schedule 46 – Net Metering

(7) The customer assumes all responsibility for electric service on the customer's premises at and from the point of delivery of electricity from Kenergy.

CONDITIONS OF INTERCONNECTION

A customer may begin operation of an electric generating facility on an interconnected basis when all of the following have been satisfied:

(1) The customer has properly notified Kenergy of intent to interconnect by submission of a completed Net Metering Program Notification Form and the customer has met all of the provisions of this tariff.

(2) The customer has installed a lockable, cooperative accessible, load breaking manual disconnect switch, if required by Kenergy.

(3) A licensed, qualified electrician has signed the Net Metering Program Notification Form certifying that the required load breaking manual disconnect switch has been installed properly and that the generator has been installed in accordance with the manufacturer's specifications, as well as all applicable provisions of the National Electrical Code.

(4) The vendor of the generating facility has signed the Net Metering Program Notification Form certifying that the customer's generator is in compliance with the requirements established by Underwriters Laboratories, or any other accredited testing laboratory.

ADDITIONAL CONTROLS AND TESTS

Kenergy may install additional controls, meters, or distribution upgrades needed to monitor the flow of electricity in each direction, or may conduct additional tests as it may deem necessary, at customer's expense.

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ISSUED BY Stanford Nivick
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 46D

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 46 - Net Metering

LIABILITY INSURANCE; INDEMNIFICATION

A. Customer shall at all times maintain general liability insurance in an amount of at least \$300,000.00 per occurrence insuring the customer against loss arising out of or in connection with the use and operation of customer's electric generating facility, or otherwise caused by actions of the customer under this tariff. Kenergy shall be named as an additional insured under this coverage and a certificate evidencing such coverage shall be provided to Kenergy.

B. Customer shall fully indemnify and hold harmless Kenergy from and against all claims, costs, expenses and liabilities arising from or in connection with customer's ownership or operation of an electric generating facility under this tariff, or as a result of customer's actions or inactions under this tariff.

SPECIAL RULES

- A. If the cumulative generating capacity of net metering systems reaches one-tenth of one percent (0.1%) of Kenergy's single hour peak load during the previous calendar year, the obligation of Kenergy to offer net metering to a new customer under this tariff may be limited by action of the Commission.
B. The net electricity produced or consumed during a billing period shall be read, recorded and measured at all times in accordance with metering practices that may be prescribed by the Commission, which shall take precedent over the terms and conditions of this tariff.

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(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 46E

CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 46 - Net Metering

ATTACHMENT 1

Net Metering Program Notification Form

APPLICANT HEREBY GIVES NOTICE OF INTENT TO OPERATE AN ELECTRIC GENERATING FACILITY.

Section 1. Applicant Information

Name:

Mail Address:

City: State: Zip Code:

Location of generating facility:

Daytime Phone Number:

Account Number:

Section 2. Generating Facility Information

Generator Manufacturer, Model Name & Number:

Power Rating in Kilowatts: AC: DC:

Inverter Manufacturer, Model Name & Number:

Battery Backup? (yes or no)

Section 3. Installation information

Installation Date: Proposed Interconnection Date:

(continued on next page)

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(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

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CANCELLING PSC NO. 1

SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 46 - Net Metering

T

Section 4. Certifications

1. The generator is in compliance with requirements established by Underwriters Laboratories or other accredited testing laboratory.

Signed (Vendor): Date:

Name (printed): Company:

Phone Number:

2. The load breaking manual disconnect switch has been installed properly and the generator has been installed in accordance with the manufacturer's specifications as well as all applicable provisions of the National Electrical Code.

Signed (Licensed Electrician): Date:

License Number: Phone Number:

Mail Address:

City: State: Zip Code:

3. Cooperative signature signifies only receipt of this form.

Signed (Cooperative Representative):

Date:

I hereby certify that, to the best of my knowledge all of the information provided in this Notification Form is true and correct.

Signature of Applicant

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TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

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Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 47-75

CANCELLING PSC NO. 1

SHEET NO. _____

CLASSIFICATION OF SERVICE

FOR FUTURE USE

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ISSUED BY *Stanford Kowick*

(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED
Community, Town or City
PSC NO. 2
Original SHEET NO. 76
CANCELLING PSC NO. 1
SHEET NO.

T

CLASSIFICATION OF SERVICE
Schedule 76 - Cable Television Attachment Tariff

APPLICABLE

To entire territory served by Kenergy and on poles owned and used by Kenergy for its electric plant.

AVAILABLE

To all qualified CATV operators having the right to receive service.

RENTAL CHARGE

The annual rental charges shall be as follows:

Table with 2 columns: Attachment Type and Price. Includes Two-Party Pole Attachment (\$5.24), Three-Party Pole Attachment (\$4.12), Two-Party Anchor Attachment (\$10.25), and Three-Party Anchor Attachment (\$6.83).

BILLING

Rental charges shall be billed annually, in succeeding year, based on the total number of pole attachments and anchors in place as of end of the preceding calendar year, and shall be due and payable on or before the date specified thereon.

SPECIFICATIONS

- A. The attachment to poles covered by this tariff shall at all times conform to the requirements of the National Electrical Safety Code...
B. The strength of poles covered by this agreement shall meet the design requirements specified by the National Electrical Safety Code.

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ISSUED BY Sanford Norick
TITLE President and CEO

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Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 76A

CANCELLING PSC NO. 1

SHEET NO.

T

CLASSIFICATION OF SERVICE
Schedule 76 - Cable Television Attachment Tariff

ESTABLISHING POLE USE

A. Before a CATV operator shall make use of any of the facilities of Kenergy under this tariff, it shall notify Kenergy in writing of its intent and shall comply with the procedures established by Kenergy. The CATV operator shall furnish Kenergy detailed construction plans and drawings for each pole, together with necessary maps indicating the specific poles of Kenergy upon which attachments are proposed, the number and character of the attachments to be placed on such poles, and rearrangements of Kenergy's fixtures and equipment for such attachment, any relocation or replacements of existing poles, and any additional poles required by CATV.

Kenergy shall, on the basis of such detailed construction plans and drawings, submit to the CATV operator a cost estimate (including overhead and less salvage value of materials) of all changes that may be required in each pole. Upon payment by the CATV operator to Kenergy, Kenergy shall proceed with the necessary changes in facilities. Upon completion of all changes by Kenergy, the CATV operator shall pay to Kenergy the actual cost of making such changes, with the obligation hereunder not limited to amounts shown on estimates for such work made by Kenergy hereunder. Upon said payment, the CATV operator shall have the right hereunder to make attachments in accordance with the terms of this tariff. The CATV operator shall, at its own expense, make attachments in such a manner as not to interfere with the service continuity of Kenergy.

B. Any reclearing of existing right-of-way and any tree trimming necessary for the establishment of pole attachments hereunder shall be performed by the CATV operator to Kenergy standards.

C. All poles to which attachments have been made under this tariff shall remain the property of Kenergy, and any payments made by the CATV operator for changes in facilities shall not entitle the CATV operator to the ownership of any of said facilities.

D. Any changes necessary for the correction of a substandard installation made by the CATV operator, where notice of intent had not been requested, shall be billed at rate equal to twice the charges that would have been imposed if the attachment had been properly authorized.

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(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED
Community, Town or City
PSC NO. 2
Original SHEET NO. 76B
CANCELLING PSC NO. 1
SHEET NO.

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CLASSIFICATION OF SERVICE
Schedule 76 - Cable Television Attachment Tariff

EASEMENTS AND RIGHT-OF-WAY

A. Kenergy does not warrant nor assure to the CATV operator any right-of-way privileges or easements. Should the CATV operator at any time be prevented from placing or maintaining its attachments on Kenergy's poles due to conditions or circumstances beyond Kenergy's control or because of the inability of the CATV operator to make and maintain such attachments, no liability on account thereof shall attach to Kenergy. Each party shall be responsible for obtaining its own easements and right-of-way.

MAINTENANCE OF POLES, ATTACHMENTS AND OPERATION

A. When right-of-way considerations or other public regulations or authorities make relocation or replacement of any Kenergy pole or poles necessary, Kenergy shall make such relocation or replacement at its own expense and each party shall bear the cost of transferring its respective attachments.

B. Whenever changes in Kenergy's facilities necessitate replacement or relocation of CATV attachments, Kenergy shall, except in emergency situations, give the CATV operator reasonable advance notice thereof, but not less than 48 hours, of the date and time of such proposed replacement or relocation. If the CATV operator fails to make the transfer of its facilities at the specified time, CATV shall thereupon assume ownership of and sole responsibility for the ultimate disposition of any facilities being vacated by Kenergy if CATV is the last-remaining party occupying such facilities. Should Kenergy elect to transfer any of CATV's facilities to a new or relocated facility, Kenergy may bill CATV operator for the cost of any such transfer.

C. Any existing or subsequent attachment of CATV, which does not conform to the specifications set out in this tariff, shall be brought into conformity herewith as soon as practical. Kenergy reserves the right to inspect each new installation of the CATV operator on its poles and in the vicinity of its lines or appurtenances. However, failure to inspect shall not operate to relieve the CATV operator of any responsibility, obligation or liability assumed under this tariff.

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BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

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CANCELLING PSC NO. 1

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CLASSIFICATION OF SERVICE
Schedule 76 - Cable Television Attachment Tariff

D. Kenergy reserves to itself, its successors and assigns, the right to maintain its poles and to operate its facilities thereon in such manner as will, in its own judgment, best enable it to fulfill its own service requirements...

Kenergy shall exercise reasonable care to avoid damaging the facilities of the CATV operator, make an immediate report to the CATV operator of the occurrence of any such damage caused by its employees, agents or contractors...

INSPECTIONS

A. Periodic Inspection: Any unauthorized or unreported attachment made by CATV operator will be billed at a rate of two times the amount that would have been due had the installations been made the day after the last previously required inspection.

B. Make-Ready Inspection: Any "make-ready" inspection or "walk-through" inspection required of Kenergy will be paid for by the CATV operator at a rate equal to Kenergy's actual expenses, plus appropriate overhead charges.

INSURANCE OR BOND

A. The CATV operator agrees to defend, indemnify and save harmless Kenergy from any and all damage, loss, claim, demand, suit, liability, penalty or forfeiture of every kind and nature, including, but not limited to, costs and expenses of defending against the same...

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ISSUED BY [Signature]
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
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Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 76D

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SHEET NO. _____

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CLASSIFICATION OF SERVICE
Schedule 76 – Cable Television Attachment Tariff

by reason of claims, demands or suits against it by third parties, resulting or alleged to have resulted from acts or omissions of the CATV operator, its employees, agents, or other representatives or from their presence on the premises of Kenergy, either solely or in concurrence with any alleged joint negligence of Kenergy. Kenergy shall be liable for sole active negligence.

- B. The CATV operator will provide coverage from a company authorized to do business in the Commonwealth of Kentucky:
1. Protection for its employees to the extent required by Worker’s Compensation Law of Kentucky.
 2. Public Liability Coverage in a minimum amount of \$1,000,000 for each accident as to personal injury or death, and \$1,000,000 as to the property of any one person, and \$2,000,000 as to any one accident involving personal injury, death or property damage.

Before beginning operations under this tariff, the CATV operator shall cause to be furnished to Kenergy a certificate for such coverage evidencing the existence of such coverage. Each policy required hereunder shall contain a contractual endorsement written as follows:

“The insurance or bond provided herein shall also be for the benefit of Kenergy Corp., so as to guarantee, within the coverage limits, the performance by the insured of any indemnity agreement set forth in this tariff. This insurance or bond may not be cancelled for any cause without thirty (30) days advance notice being first given to Kenergy Corp.”

CHANGE OF USE PROVISION

A. When Kenergy subsequently requires a change in its facilities for reasons unrelated to CATV operations, the CATV operator shall be given reasonable notice thereof, but not less than forty-eight (48) hours (except in case of emergency). If the CATV operator is unable or unwilling to meet Kenergy’s time schedule for such changes, Kenergy may elect to make the necessary transfers and charge the CATV operator its reasonable cost for performing these tasks.

DATE OF ISSUE September 3, 2008
Month / Date / Year

DATE EFFECTIVE October 3, 2008
Month / Date / Year

ISSUED BY *Samuel Norick*
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED
Community, Town or City
PSC NO. 2
Original SHEET NO. 76E
CANCELLING PSC NO. 1
SHEET NO.

T

CLASSIFICATION OF SERVICE
Schedule 76 - Cable Television Attachment Tariff

ABANDONMENT

A. Should Kenergy at any time decide to abandon any facilities which CATV operator is utilizing, Kenergy shall, as soon as possible, give the CATV operator written notice to that effect, but not less than thirty (30) days prior to the date it intends to abandon such pole. If, at the expiration of said period, Kenergy has no attachments on such facilities, but the CATV operator shall not have removed all of its attachments therefrom, such pole shall thereupon become the property of the CATV operator, and the CATV operator shall assume and save harmless Kenergy from all obligation, liability, damages, cost, expenses or charges incurred thereafter; and shall pay Kenergy for such facilities an amount equal to Kenergy's depreciated cost thereof. Kenergy shall further evidence transfer to the CATV operator of title to facilities by means of a bill of sale.

B. The CATV operator may at any time abandon the use of the attached facilities by giving due notice thereof in writing to Kenergy and by removing therefrom any and all attachments it may have thereon. The CATV operator shall in such case be responsible for payment to Kenergy of the rental for said facilities for the then current billing period.

C. A CATV operator shall not assign, transfer, sublease or resell the rights of attachment hereby granted to it, or the right to use the facilities so attached to Kenergy's poles, without prior consent in writing of Kenergy. Upon notice, Kenergy may, at its discretion, conduct a field investigation of all CATV attachments to determine compliance. Transfer will not be approved by Kenergy until deficiencies are corrected.

RIGHTS OF OTHERS

A. Upon notice from Kenergy to the CATV operator that the use of any facilities is forbidden by municipal or other public authorities or by property owners, the permit governing the use of such facilities shall immediately terminate and the CATV operator shall remove its facilities from Kenergy's affected facilities at once. No refund of annual rental will be made under these circumstances.

PAYMENT OF TAXES

Each party shall pay all taxes and assessments lawfully levied on its own property upon said attached facilities, but any tax, fee, or charge levied on Kenergy's facilities solely because of their use by the CATV operator shall be paid by the CATV operator.

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(Signature of Officer)
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Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 76F

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SHEET NO.

CLASSIFICATION OF SERVICE

Schedule 76 – Cable Television Attachment Tariff

BOND OR DEPOSITOR PERFORMANCE

A. The CATV operator shall furnish bond or satisfactory evidence of contractual insurance coverage for the purposes hereinafter specified in the amount of twenty-five thousand dollars (\$25,000), until such time as the CATV operator shall occupy twenty-five hundred (2,500) poles of Kenergy and thereafter the amount thereof shall be increased to increments of one thousand dollars (\$1,000), for each one hundred (100) poles (or fraction thereof) occupied by the CATV operator, evidence of which shall be presented to Kenergy fifteen (15) days prior to beginning construction. Such bond or insurance shall contain the provision that it shall not be terminated prior to six (6) months after receipt by Kenergy of written notice of the desire of the Bonding or Insurance Company to terminate such bond or insurance. Upon receipt of such notice, Kenergy shall request the CATV operator to immediately remove its cables, wires, and all other facilities from all poles of Kenergy. If the CATV operator should fail to complete the removal of all its facilities from the poles of Kenergy within thirty (30) days after receipt of such request from Kenergy, then Kenergy shall have the right to remove them at the cost and expense of the CATV operator and without being liable for any damage to the CATV operator's wires, cables, fixtures, or appurtenances. Such bond or insurance shall guarantee the payment of any sums which may become due to Kenergy for rentals, inspections or work performed for the benefit of the CATV operator under this tariff, including the removal of attachments upon termination of service by any of its provisions.

B. After the CATV operator has been a customer of Kenergy and not in default for a period of two years, Kenergy shall reduce the bond by 50%, or at Kenergy's option, require a deposit in keeping with 807 KAR 5:006, Section 7.

USE OF ANCHORS

Kenergy reserves the right to prohibit the use of any existing or future anchors by CATV operator where conditions warrant such action.

DISCONTINUANCE OF SERVICE

A. Kenergy may refuse or discontinue serving an applicant or customer under the conditions set out in 807 KAR 5:006 Section 11(1) and (2).

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ISSUED BY [Signature of Stanford Horick]
(Signature of Officer)

TITLE President and CEO

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IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED
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CLASSIFICATION OF SERVICE
Schedule 76 - Cable Television Attachment Tariff

CALCULATION OF ANNUAL POLE ATTACHMENT CHARGE

1. Annual Attachment Charge - Two-Party Pole

Annual Charge = [weighted avg. cost x .85 - n/a] x annual carrying charge x .1224

Annual Charge = \$359.64 x .85 x 14.01% x .1224

Annual Charge = \$5.24

2. Annual Attachment Charge - Three-Party Pole

Annual Charge = [weighted avg. cost x .85 - n/a] x annual carrying charge x .0759

Annual Fixed = \$455.33 x .85 x 14.01% x .0759

Annual Charge = \$4.12

1/1 Weighted Average Cost for Poles Determined as follows:

35'-40' Poles = installed plant cost at 12/31/07 of \$25,722,873 ÷ 71,524 poles; or an average cost of \$359.64 per pole

40'-45' Poles = installed plant cost at 12/31/07 of \$22,827,781 ÷ 50,135 poles; or an average cost of \$455.33 per pole.

1/2 Reduction factor for lesser appurtenances included in pole accounts per Page 8 of PSC Order in Case No. 251.

1/3 Ground wire cost is not included in pole cost records, therefore, subject reduction is not applicable.

1/4 See Sheet 76, Exhibit A, page 3 of 3.

1/5 Usable space factor per Page 13 of PSC Order in Case No. 251.

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Henderson, Kentucky

FOR ALL TERRITORY SERVED

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CANCELLING PSC NO. 1

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CLASSIFICATION OF SERVICE

Schedule 76 – Cable Television Attachment Tariff

CALCULATION OF ANNUAL ANCHOR ATTACHMENT CHARGE

1. Annual Attachment Charge – Two-Party Anchor

Annual Charge = [weighted average cost x annual carrying charge] / 2

Annual Charge = \$146.28 x 14.01% / 2

Annual Charge = \$10.25

2. Annual Attachment Charge – Three-Party Anchor

Annual Charge = [weighted average cost x annual carrying charge] / 3

Annual Charge = \$146.28 x 14.01% / 3

Annual Charge = \$6.83

/1 Weighted Average Cost for Anchors Determined as follows:

Installed plant cost of all anchors \$14,797,194 ÷ 101,155 anchors; or an average cost of \$146.28 per anchor as of 12/31/07.

/2 See Sheet 76, Exhibit A, page 3 of 3.

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CLASSIFICATION OF SERVICE
Schedule 76 – Cable Television Attachment Tariff

PSC ADMINISTRATIVE CASE NO. 251

		<u>Percent</u>	Proforma Margins	Proforma Interest
1.	Cost of Money:			
	Rate of Return as per Case No. 2006-00369	5.34%	<u>(3,841,456 + 5,111,996)</u>	
	Times Net-to-Gross Ratio	<u>.76*</u>	\$167,687,892	= 5.34%
R	Adjusted Rate of Return	<u>4.06%</u>	Net Investment Rate Base	
2.	Operations and Maintenance Expense Per 2007 Income Statement:			
R				
	$\frac{\$12,044,556}{\$224,786,800} \times 100 =$	5.36%		
3.	Depreciation Expense:			
I				
	$\frac{\$7,415,079}{\$224,786,800} \times 100 =$	3.30%		
4.	General Administrative Expense:			
I				
	$\frac{\$2,903,160}{\$224,786,800} \times 100 =$	1.29%		
R	Annual Carrying Charges	14.01%		
*	Net Plant Investment $\frac{\$171,467,259}{\$224,786,800} = 76\%$			
R	Gross Plant Investment \$224,786,800 (December 31, 2007)			

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IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

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CLASSIFICATION OF SERVICE

FOR FUTURE USE

N

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ISSUED BY *Stanford Houck*
(Signature of Officer)

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IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 100

CANCELLING PSC NO. 1

SHEET NO.

RULES AND REGULATIONS

Residential Member Bill of Rights

As a residential Member of a regulated public utility in the Commonwealth of Kentucky, you are guaranteed the following rights subject to Kentucky Revised Statutes and the provisions of the Kentucky Public Service Commission Administrative Regulations:

- You have the right to service, provided you (or a Member of your household whose debt was accumulated at your address) are not indebted to Kenergy Corp.
You have the right to inspect and review Kenergy's rates and tariffed operating procedures during Kenergy's normal office hours.
You have the right to be present at any routine Kenergy inspection of your service conditions.
You must be provided a separate, distinct disconnect notice alerting you to a possible disconnection of your service, if payment is not received.
You have the right to dispute the reasons for any announced termination of your service.
You have the right to negotiate a partial payment plan when your service is threatened by disconnection for non-payment.
You have the right to participate in near equal, levelized payment plan for your electric service.
You have the right to maintain your utility service for up to thirty (30) days upon presentation of a medical certificate issued by a health official.
You have the right to prompt (within 24 hours) restoration of your service when the cause for discontinuance has been corrected.
If you have not been disconnected, you have the right to maintain your electric service for up to thirty (30) days, when you present a Certificate of Need issued by the Kentucky Cabinet for Human Resources between the months of November and the end of March.
If you have been disconnected due to non-payment, you have the right to have your electric service reconnected between the months of November through March provided you:
1. Present a Certificate of Need issued by the Kentucky Cabinet for Human Resources; and
2. Pay one-third (1/3) of your outstanding bill (\$200.00 maximum); and
3. Accept referral to the Human Resources Weatherization Program; and
4. Agree to a repayment schedule that will cause your bill to become current by October 15th
You have the right to contact the Kentucky Public Service Commission regarding any dispute that you have been unable to resolve with Kenergy Corp. (call Toll Free 1-800-772-4636).

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IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

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RULES AND REGULATIONS

Schedule 101 - Scope

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This schedule of rules and regulations is hereby made a part of all contracts for electric service received from Kenergy Corp. (excluding large industrials served under special contracts and smelter contracts), and applies to all service received, whether such service is based upon a contract, agreement, signed application or otherwise. No employee or director of Kenergy Corp. is permitted to make an exception to rates and rules, however, Kenergy reserves the right to modify or adopt these terms and conditions of service to meet the requirements of unusual circumstances or situations for which provision is not otherwise made.

Regulations are on file in Kenergy's offices and can be viewed there.

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IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

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RULES AND REGULATIONS

Schedule 102 - Revisions

These Rules and Regulations may be revised, amended, supplemented, or otherwise changed from time to time after approval by Kenergy Corp.'s Board of Directors and the Public Service Commission. Such changes, when effective, shall have the same force as the present Rules and Regulations.

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IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

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Original SHEET NO. 103

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RULES AND REGULATIONS

Schedule 103 – No Prejudice of Rights

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Failure by Kenergy to enforce any of the terms of this tariff shall not be deemed as a waiver of the right to do so.

In case of conflict between any provisions of any rate schedule and the Schedule of Rules and Regulations, the rate schedule shall apply.

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RULES AND REGULATIONS

Schedule 104 – Resale of Power by Customers

All purchased electric service used on the premises of the customer shall be supplied exclusively by Kenergy and the customer shall not directly or indirectly sell, sublet, or otherwise dispose of the electric service or any part thereof.

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Henderson, Kentucky

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RULES AND REGULATIONS

Schedule 105 - Franchise Billing Plan

FRANCHISE BILLING PLAN

- T 1. Effective for service on and after January 3, 2003, within governmental jurisdictions, which
T impose on Kenergy a franchise requiring payments by Kenergy that are (i) based on a percentage of gross revenues or (ii) a fixed amount in excess of \$5,000.00 annually, there shall be included, as part of Kenergy's rates in each franchise area, an additional charge to be determined in accordance with this Franchise Billing Plan. There shall be no additional charge to customers in the franchise area if Kenergy's franchise payment for said area is a fixed amount of \$5,000.00 or less annually.
2. Kenergy's objective in making this additional charge shall be to flow through to customers in the affected franchise areas the amount of Kenergy's franchise payments in said areas. The amount of such additional charge shall be determined and added to monthly customer billings for all customer classifications in the franchise area.
3. The additional charge to each customer's bill shall be determined as follows: (i) if Kenergy's franchise payment is based on a percentage of gross revenue, the same percentage shall be charged to the customer; (ii) if Kenergy's franchise payment is a fixed amount in excess of \$5,000.00 annually, by a billing factor equal to the anticipated franchise payment for the franchise area, divided by the anticipated annual revenues of Kenergy for the area, multiplied by the customer's bill as otherwise determined under Kenergy's rate tariff.
4. The above billing factor shall be determined for each calendar year, subject to periodic review and adjustment during the year for any material changes affecting the billing factor. The amount by which the additional charges collected for any franchise area exceed or are less than the franchise payment due for such area shall be credited or charged by appropriate adjustment to the billing factor.
5. The amount of the additional charge shall be listed as a separate item on customers' bills, showing the amount and designating the unit of government to which the payment is due.

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Henderson, Kentucky

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RULES AND REGULATIONS

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Henderson, Kentucky

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RULES AND REGULATIONS

Schedule 111 – Application for Electric Service

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Each prospective customer and/or spouse desiring electric service will be required to sign Kenergy's form "Application for Membership and Electric Service". Also, where applicable, the prospective customer must sign a contract pertaining to their particular service. The prospective customer must provide Kenergy with all necessary right-of-way easements. At the time of application for residential service, the customer must also furnish his/her social security number, picture identification, phone number, mailing address, place of employment and name of spouse. Kenergy will inform each applicant for service of the type, class and character of service available at his location pursuant to 807 KAR 5:006, Section 4, Part (3).

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Henderson, Kentucky

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Original SHEET NO. 112

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RULES AND REGULATIONS

Schedule 112 - Right of Access

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Kenergy shall have access to meters, service connections, and other property owned by it and located on the Customer's premises for purposes of placing, locating, building, constructing, operating, replacing, rebuilding, relocating, repairing, improving, enlarging, extending, clearing right-of-way, and maintaining on, over, or under such lands and premises, or removing therefrom its electrical distribution system, new or existing lines, wires, poles, anchors and other necessary or appurtenant parts.

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Any employee of Kenergy whose duties require him to enter the customer's premises shall wear a distinguishing uniform or insignia, identifying him as an employee or agent of Kenergy, or carry on his/her person a badge or other identification which will identify him as an employee of Kenergy, the same to be shown upon request.

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Henderson, Kentucky

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Community, Town or City

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Original SHEET NO. 113

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SHEET NO.

RULES AND REGULATIONS

Schedule 113 – Refusal or Termination of Service

1. Kenergy may refuse or terminate service to a customer only under the following conditions, except as provided in 807 KAR 5:006: (Section 14)

FOR NONCOMPLIANCE WITH KENERGY’S TARIFFED RULES OR COMMISSION REGULATIONS

Kenergy may terminate service for failure to comply with applicable tariffed rules or commission regulations pertaining to that service. However, Kenergy shall not terminate or refuse service to any customer for noncompliance with its tariffed rules or commission regulations without first having made a reasonable effort to obtain customer compliance. After such effort by Kenergy, service may be terminated or refused only after the customer has been given a least ten (10) days written termination notice pursuant to 807 KAR 5:006.

FOR DANGEROUS CONDITONS

If a dangerous condition relating to Kenergy’s service, which could subject any person to imminent harm or result in substantial damage to the property of Kenergy or others, is found to exist on the customer’s premises, the service shall be refused or terminated without advance notice. Kenergy shall notify the customer immediately in writing and, if possible, orally of the reasons for the termination or refusal. Such notice shall be recorded by Kenergy and shall include the corrective action to be taken by the customer or Kenergy before service can be restored or provided. However, if the dangerous condition can be effectively isolated or secured from the rest of the system, Kenergy need discontinue service only to the affected customer.

FOR REFUSAL OF ACCESS

When a customer refuses or neglects to provide reasonable access to the premises for installation, operation, meter reading, maintenance or removal of Kenergy property, Kenergy may terminate or refuse service. Such action shall be taken only when corrective action negotiated between Kenergy and member has failed to resolve the situation and after

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Henderson, Kentucky

FOR ALL TERRITORY SERVED

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RULES AND REGULATIONS

Schedule 113 – Refusal or Termination of Service

T the customer has been given at least ten (10) days written notice of termination pursuant to 807 KAR 5:006.

T FOR OUTSTANDING INDEBTEDNESS

T Except as provided in 807 KAR 5:006, Kenergy shall not be required to furnish new service to any customer who is indebted to Kenergy for service furnished or other tariffed charges until that customer has paid his indebtedness.

T FOR NONCOMPLIANCE WITH STATE, LOCAL OR OTHER CODES

T Kenergy may refuse or terminate service to a customer if the customer does not comply with state, municipal or other codes, rules and regulations applying to such service. Kenergy may terminate service pursuant to 807 KAR 5:006 only after ten (10) days written notice is provided, unless ordered to terminate immediately by a governmental official.

T FOR NONPAYMENT OF BILLS

T Kenergy may terminate service at a point of delivery for nonpayment of charges incurred for service at that point of delivery; however, Kenergy shall not terminate service to any customer for nonpayment of bills for any tariffed charge without first having mailed or otherwise delivered an advance termination notice which complies with the requirements of 807 KAR 5:006.

T a. Termination notice requirements for electric service. Kenergy shall mail or otherwise deliver to that customer ten (10) days written notice of intent to terminate. Under no circumstances shall service be terminated before twenty-seven (27) days after the mailing date of the original unpaid bill. The termination notice to residential customers shall include written notification to the customer of the existence of local, state and federal programs providing for the payment of Kenergy bills under certain conditions, and of the address

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RULES AND REGULATIONS

Schedule 113 - Refusal or Termination of Service

T and telephone number of the Department for Social Insurance of the Cabinet for Human Resources to contact for possible assistance.

b. The termination notice requirements of this subsection shall not apply if termination notice requirements to a particular customer or customers are otherwise dictated by the terms of a special contract between the utility and customer which has been approved by the Commission.

FOR ILLEGAL USE OR THEFT OF SERVICE

Kenergy may terminate service to a customer without advance notice if it has evidence that a customer has obtained unauthorized service by illegal use or theft. Within twenty-four (24) hours after such termination, Kenergy shall send written notification to the customer of the reasons for termination or refusal of service upon which Kenergy relies and of the customer's right to challenge the termination by filing a formal complaint with the Commission. This right of termination is separate from and in addition to any other legal remedies which Kenergy may pursue for illegal use or theft of service. Kenergy shall not be required to restore service until the customer has complied with all tariffed rules of Kenergy and laws and regulations of the Commission.

2. Kenergy shall not terminate service to a customer if the following conditions exist:

IF PAYMENT FOR SERVICE IS MADE

If following receipt of a termination notice for nonpayment, but prior to the actual termination of service there is delivered to Kenergy's office payment of the amount in arrears, service shall not be terminated.

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Henderson, Kentucky

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RULES AND REGULATIONS

Schedule 113 – Refusal or Termination of Service

IF A PAYMENT AGREEMENT IS IN EFFECT

Service shall not be terminated for nonpayment if the customer and Kenergy have entered into a partial payment plan in accordance with 807 KAR 5:006 and the customer is meeting the requirements of the plan.

IF A MEDICAL CERTIFICATE IS PRESENTED

Service shall not be terminated for thirty (30) days beyond the termination date if a physician, registered nurse or public health officer certifies in writing that termination of service will aggravate a debilitating illness or infirmity on the affected premises. Kenergy may refuse to grant consecutive extensions for medical certificates past the original thirty (30) days unless the certificate is accompanied by an agreed partial payment plan in accordance with 807 KAR 5:006. Kenergy shall not require a new deposit from the customer to avoid termination of service for a thirty (30) day period who presents to Kenergy a medical certificate certified in writing by a physician, registered nurse or public health officer.

Kenergy shall not terminate service for thirty (30) days beyond the termination date if the Kentucky Cabinet for Human Resources (or its designee) certifies in writing that the customer is eligible for the Cabinet's Energy Assistance Program or household income is at or below 130 percent of the poverty level, and the customer presents such certificate to Kenergy. Customers eligible for such certification from the Cabinet for Human Resources shall have been issued a termination notice between November 1st and March 31st.

Certificates shall be presented to Kenergy during the initial ten (10) day termination notice period. As a condition of the thirty (30) day extension, the customer shall exhibit good faith in paying his indebtedness by making a present payment in accordance with his ability to do so. In addition, the customer shall agree to a repayment plan in accordance with 807 KAR 5:006, which will permit the customer to become current in the payment of his bill as soon as possible but not later than October 15th. Kenergy shall not require a new deposit from a customer to avoid termination of service for a thirty (30) day period who presents a

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Schedule 113 – Refusal or Termination of Service

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certificate to Kenergy certified by the Kentucky Cabinet for Human Resources (or its designee) that the customer is eligible for the Cabinet's Energy Assistance Program or whose household income is at or below 130 percent of the poverty level.

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Schedule 121 – Point of Delivery

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The point of delivery is the point as designated by Kenergy on customer's premises. A customer requesting a point of delivery different from the one designated by Kenergy will be required to pay the additional cost of providing the service at such delivery point. All wiring and equipment beyond this point of delivery shall be supplied and maintained by the customer.

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Schedule 122 – Customer Liability

The customer shall assume responsibility for service upon his premises at and from the point of delivery thereof, and for wires, apparatus, devices, and appurtenances thereon used in connection with service. The customer shall indemnify, save harmless and defend Kenergy against all claims, demands, cost or expense for loss, damage or injury to persons or property in any manner directly or indirectly arising from, connected with, or growing out of the transmission or use of current by customer at or on the customer's side of point of delivery.

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Schedule 123 - Service Entrance Location

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Customer shall install and maintain the service entrance conduit or service equipment and provide a suitable attachment for Kenergy's service conductors. The attachment shall be of sufficient strength to support or hold Kenergy's service conductors and maintain standard clearances. Customer shall extend its' service conductors, the greater of (1) the NEC requirement, or (2) 18 inches out of the service entrance, and identify the neutral conductor for all service, and the high leg for three-phase service.

The service entrance shall be the specific point where customer's facilities connect with Kenergy's facilities, which location shall be mutually agreed upon in advance, when possible, between the parties.

All connections, permanent or temporary, between Kenergy's service conductors and customer's wiring shall be installed and/or removed only by authorized representatives of Kenergy.

Should, for any reason, customer's service entrance be inaccessible to Kenergy, or customer desires that the entrance be at a location other than that closest to Kenergy lines, the cost of such further special construction as may be necessary may require an appropriate contribution from customer to cover the cost of the additional service length.

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RULES AND REGULATIONS
Schedule 124 - Service Conditions

Table with 3 columns: AVAILABILITY, CHARACTER OF SERVICE, APPLICATION. Rows include Overhead and Underground services with various voltage and wire configurations.

Service voltages other than listed above may be available on request and at customers' cost.

The delivery point, typically the meter, shall be where customer's facilities connect with Kenergy's facilities, as close to existing Kenergy facilities as is safely possible, and mutually agreed upon in advance when possible.

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Schedule 124 – Service Conditions

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N Meters shall be easily accessible for reading, testing and making necessary adjustments and repairs and shall be located at site designated by Kenergy Corp. personnel.

All connections, temporary or permanent, shall be installed/removed by Kenergy or under Kenergy supervision.

Any objectionable disturbance or fluctuations caused by customer's use of service shall be corrected by suitable apparatus at customer's expense.

Customer shall exercise proper care in use of Kenergy facilities. Any damage from misuse shall be corrected at customer's expense.

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RULES AND REGULATIONS

Schedule 125 - Inspections

Pursuant to 807 KAR 5:006, Section 14(e), Kenergy shall not initiate new permanent electric service until the required certificate of approval has been issued by a certified electrical inspector if required by local or state government.

It shall be the duty of Kenergy, before making service connections to a new customer, to visually inspect the condition of the meter and service facilities for such customer in order that prior or fraudulent use of the facilities will not be attributed to the new customer. The new customer shall be afforded the opportunity to be present at such inspections. Kenergy shall not be required to render service to any customer until any defects in the customer-owned portion of the service facilities have been corrected.

Kenergy shall not initiate permanent electric service to a customer until a final certificate or approval, wherever applicable, shall have been issued by a certified electrical inspector, pursuant to 815 KAR 7:020 (16) (C) 1.

Wiring systems that are substantially complete may be granted a permanent service type connection. This temporary connection would be for completion of the house or facility, only, and is not to be used for any form of occupancy or permanent use. The connection will be for a reasonable time, not to exceed three (3) months. Prior to Kenergy granting this type connection, written notice agreeing to these terms must be signed by an electrical inspector, electrical contractor, and property owner.

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RULES AND REGULATIONS

Schedule 136 – Extensions to Permanent Overhead Service

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Distribution Line Extensions

(1) Normal Extensions – An extension of 1,000 feet or less of single phase line shall be made by a utility to its existing distribution line without charge for a prospective customer who shall apply for and contract to use the service for one (1) year or more and provides guarantee for such service. The “service drop” to customer premises from the distribution line at the last pole shall not be included in the foregoing measurements. This distribution line extension shall be limited to service where installed transformer capacity does not exceed 25 KVA. Any utility which extends service to a customer who may require polyphase service or whose installed transformer capacity will exceed 25 KVA may require the customer to pay in advance additional cost of construction which exceeds that for a single phase line where the installed transformer capacity does not exceed 25 KVA.

(2) Other Extensions:

- (a) When an extension of the utility’s line to serve an applicant or group of applicants amounts to more than 1,000 feet per customer, the utility may, if not inconsistent with its filed tariff, require total cost of the excessive footage over 1,000 feet per customer to be deposited with the utility by the applicant or applicants, based on the average estimated cost per foot of the total extension.
(b) Each customer receiving service under such extension will be reimbursed under the following plan: Each year, for a refund period of not less than ten (10) years, the utility shall refund to the customer(s) who paid for the excessive footage the cost of 1,000 feet of extension in place for each additional customer connected during the year whose service line is directly connected to the extension installed and not to extensions or laterals therefrom. Total amount refunded shall not exceed the amount paid the utility. No refund shall be made after the refund period ends.
(c) For additional customers connected to an extension or lateral from the distribution line, the utility shall refund to any customer who paid for excessive footage the cost of 1,000 feet of line less the length of the lateral or extension.

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Schedule 136 – Extensions to Permanent Overhead Service

(3) An applicant desiring an extension to a proposed real estate subdivision may be required to pay the entire cost of the extension. Each year, for a period of not less than ten (10) years, the utility shall refund to the applicant who paid for the extension a sum equivalent to the cost of 1,000 feet of the extension installed for each additional customer connected during the year. Total amount refunded shall not exceed the amount paid to the utility. No refund shall be made after the refund period ends.

(4) Nothing contained herein shall be construed as to prohibit a utility from making extensions under different arrangements if such arrangements have been approved by the Commission.

(5) Nothing contained herein shall be construed to prohibit a utility from making at its expense greater extensions than herein prescribed, if similar free extensions are made to other customers under similar conditions.

(6) Upon complaint to and investigation by the Commission, a utility may be required to construct extensions greater than 1,000 feet upon a finding by the Commission that such extension is reasonable.

(7) Right of Way and Easements – Applicants shall furnish suitable right of way and easements for Kenergy’s facilities within a reasonable time to meet service requirements. Applicants shall perform such services as necessary to facilitate construction and accessibility by Kenergy to the area, including approximation of final grade.

(8) Land Rights – Suitable land rights shall be granted to Kenergy, obligating the applicant and any subsequent property owners to provide continuing access to Kenergy for the operation, maintenance and/or replacement of its facilities, and to prevent any encroachments upon Kenergy’s easement or any substantial change in grade or elevation.

(9) Contractual Agreements – Individual contractual agreements may be required with respect to individual service applications, including but not limited to subdivisions, commercial or business services, or unusual cases.

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Schedule 137 – Distribution Line Extensions to Mobile Homes

- (1) All extensions of up to 300 feet from the nearest facility shall be made without charge.
- (2) For extensions greater than 300 feet and less than 1,000 feet from the nearest facility, the utility may charge an advance equal to the reasonable costs incurred by it for that portion of the service beyond 300 feet. Beyond 1,000 feet, the extension policies set forth in 807 KAR 5:041, Section 11 shall apply.
 - (a) This advance shall be refunded to the customer over a four (4) year period in equal amounts for each year the service is continued.
 - (b) If the service is discontinued for a period of sixty (60) days, or should the mobile home be removed and another does not take its place within sixty (60) days, or be replaced by a permanent structure, the remainder of the advance shall be forfeited.
 - (c) No refunds shall be made to any customer who did not make the advance originally, or has not been subsequently approved by Kenergy Corp. to receive a refund.

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Schedule 138 – Temporary, Seasonal or Services of Questionable Tenure

Temporary, seasonal or services of questionable tenure shall be construed to mean a party or establishment whose need for electric service, both as to amount and permanency, cannot be reasonably assured and same shall include, but not limited to, oil and coal facilities, farming operations, lakes, and summer cottages, recreational areas, campsites and construction sites, etc. A customer requesting such service will be required to pay an advance contribution in aid of construction equal to the cost of construction and removal of the facilities, excluding service drop, transformer(s) and metering. Based upon Kenergy's determination of the minimum annual KWH usage required to amortize the cost of such facilities over a ten-year period, customer's advance contribution will be refunded annually over a ten-year period, in ten equal amounts, for each year service is continued. The annual refund amount shall, however, be reduced to the extent that customer may fail to satisfy its designated minimum annual KWH usage. Should said service be discontinued for a period of 60 consecutive days, consumer shall forfeit any then remaining contribution which may be subject to refund.

Transformers and meters will be furnished by Kenergy except where requirements may be contrary to standard voltages, and in which case the transformer cost will be considered as materials as referred to above. Kenergy shall retain ownership of these facilities and provide necessary maintenance thereof.

A service charge of \$30.00 shall be applicable to any disconnecting or reconnecting of seasonal and temporary services.

When more than one customer requests service from the same distribution extension at the same time, a mutual agreement of shared cost between the customers may be approved by Kenergy. Costs incurred for the construction of temporary services in which all or a part of the facilities will be used for permanent service will then be based on the type of permanent service ultimately connected.

Special situations may arise for a special type of service, and in which case the service will be negotiated on an individual basis as to voltage, contribution, contract, etc.

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RULES AND REGULATIONS

Schedule 139 – Extensions to Permanent Underground Service

Kenergy will extend underground electric distribution systems for all new customers and subdivisions in accordance with Kentucky Public Service Commission Regulation 807 KAR 5:041, Section 21, and the following conditions:

(a) Right of Way and Easements – Applicants shall furnish suitable right of way and easements for Kenergy’s underground facilities within a reasonable time to meet service requirements. Applicants shall perform such services as necessary to facilitate construction and accessibility by Kenergy to the area, including approximation of final grade.

Land Rights – Suitable land rights shall be granted to Kenergy, obligating the applicant and any subsequent property owners to provide continuing access to Kenergy for the operation, maintenance and/or replacement of its facilities, and to prevent any encroachments upon Kenergy’s easement or any substantial change in grade or elevation.

(b) Contractual Agreements – Individual contractual agreements may be required with respect to individual service applications, including but not limited to subdivisions, commercial or business services, or unusual cases.

(c) Customer Responsibility – Customer shall install trench and conduit as per Kenergy specifications for all services as well as any needed primary distribution system extensions. In the event customer is unable to provide such installation and Kenergy agrees to perform or have performed same on customer’s behalf, applicants shall pay a non-refundable “cost differential charge” equal to the cost differential of Kenergy’s cost of underground versus the cost of overhead as per Section (d) of this Schedule 139.

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Schedule 139 - Extensions to Permanent Underground Service

(d) Underground Vs. Overhead Cost Differential

The following cost estimates are prepared from the unit cost information filed with the Kentucky Public Service Commission annually and are available for review upon request:

Underground Cost Per Foot.....	\$14.92
Overhead Cost Per Foot.....	\$11.38
Differential (underground minus overhead)Cost Per Foot.....	\$ 3.54
Differential (customer installed trench and conduit)Cost Per Foot..	None

If substantial rock is encountered and Kenergy has agreed to install the trench and conduit, customer will reimburse Kenergy for any additional costs.

For installations that Kenergy determines underground service is the most economically feasible method of providing service to the applicant, any cost differential charge that would have resulted from Kenergy performing work normally done by the customer will be waived.

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Schedule 140 - Relocation of Lines

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When Kenergy is requested or required to relocate facilities, for any reason, including existing or possible National Electric Safety Code (NESC) violations, the entire expense will be paid by the firm, person or persons requesting the relocation or planning activity that necessitates such relocation. Exceptions to this will be when one or more of the following conditions are met:

- 1. The relocation is made for the convenience of Kenergy.
2. The relocation will result in a substantial improvement in Kenergy facilities or accessibility of same.
3. The relocation is associated with a planned system improvement project that can be done at the same time.
4. The relocation is done in order to comply with NESC minimum requirements and the construction of a permanent residence that will be receiving electric service is included. In this case, the cost, if any to the customer, will be the difference in the relocation cost and the average cost anticipated for new customer extensions for the year the relocation is done.

The customer shall be responsible for the entire cost of relocation of facilities to accommodate structures or buildings that will not require electric service from Kenergy.

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RULES AND REGULATIONS

Schedule 141 – Operation of Motors

Proper operation of motors is necessary to minimize objectionable starting and operating effects upon Kenergy’s distribution system and other customers. Therefore, the customer’s equipment shall be subject to the following conditions:

Single Phase Motors – Single phase motors will be permitted if the design locked-rotor current at 240 volts is not more than 260 amperes and if no more than 260 amperes is required at any time during the starting cycle. This is equivalent to a 10 h.p. Code G (6.29 KVA/hp) motor.

Single-phase motors that exceed this condition may be permitted by specific approval of Kenergy where the primary voltage drop can be held to acceptable limits during motor starting.

Phase Converters – Phase converters supplying three-phase motors may, following specific approval of Kenergy, be installed on the system within the same limitations required of single phase motors.

Three-Phase Motors – Three-phase motors will be permitted if the design locked-rotor current at 240 volts is no more than 260 amperes (130 amperes at 480 volts) and if no more than 260 amperes is required at any time during the starting cycle. This is equivalent to a 25 h.p. Code E (6.29 KVA/hp) motor. Motors larger than these ratings require Kenergy’s approval and may require a current reducing starting.

Quantity of Motors – Generally, there is no limit on the number of motors that may be operated at one time, provided the motors are started individually and comply with Items 1 or 3 above, and the total demand for single phase service does not exceed 50 KVA. If motors are started in combination, the maximum total in rush current shall be no greater than allowed for a single motor. Exception to the total demand criteria (only) may be granted on a case-by-case basis.

Power Factor – Power factor is to be maintained at 90% or greater. If customer, upon notification from Kenergy, does not correct power factor, a penalty will be applied by an amount that is specified in the tariff covering power factor penalty.

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RULES AND REGULATIONS

Schedule 151 – Type of Meter Installations

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D a) Separate Meter and Billing for Each Service - Any customer desiring service at two or more separately metered points of connection to the system shall be billed separately at each point and the registration of such meters shall not be added for billing purposes.

T b) Self-Contained – Kenergy normally will install and maintain one socket-type watt-hour meter and appropriate demand meters when required for each service installed with a 200 amp capacity or less. Customer shall provide, install and maintain the meter socket and associated service equipment. Single-phase service with a 400-amp capacity will be metered by a socket-type watt-hour meter furnished by Kenergy and customer shall provide, install and maintain the meter socket and associated service equipment.

T c) Instrument Transformer (Secondary) – The characteristics or amp capacity of customer’s service may require instrument transformer metering equipment. Kenergy will furnish, install and maintain all instrument transformers for metering, meter enclosures, conduits, meter, etc. If instrument transformer cabinets are required, customer will furnish, install and maintain the cabinet and associated conduit and equipment, whether inside or outside. Customer will be responsible for securing from Kenergy the size cabinet required for customer’s individual service.

T d) Instrument Transformer (Primary) – Primary-metered service can be furnished to customer upon Kenergy approval. Kenergy will furnish, install and maintain necessary metering equipment on its facilities. Customer will own, install, maintain, and operate all facilities on the load side of the metering equipment.

e) Unmetered Services – Certain special installations, while having relatively constant usage, such as highway lighting, signals, signs, telephone booths, etc., may be impractical for individual metering. Such service may be negotiated by contract and billed at a flat monthly rate as based upon historical data.

T f) Meter Pole – If required, customer shall provide pole suitable to Kenergy’s standards.

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RULES AND REGULATIONS

Schedule 152 - Meter Readings

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(a) Meters shall be easily accessible for reading, testing and making necessary adjustments and repairs and shall be located at the site designated by Kenergy Corp. personnel. Meters with demand devices shall be read monthly by Kenergy personnel. Unless otherwise agreed to by Kenergy, all other meters shall be read by the customer and readings supplied by the customer on the form provided. Such reading shall accompany customer's monthly payment and shall serve as the basis of the subsequent month's billing. Kenergy will read each customer-read meter at least once during each calendar year.

(b) Kenergy reserves the right to charge a customer a fee of \$30.00 for each trip required to read a meter when the customer has failed to correctly read the meter for three (3) consecutive billing periods and which fee shall appear on customer's subsequent monthly billing.

(c) Registration of each meter shall read in the same units as used for billing unless a conversion factor is shown on the billing form.

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Schedule 153 – Meter Tests

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All new meters shall be checked for accuracy before installation. Kenergy will, at its own expense, make periodic tests and inspections of its meters in order to maintain a high standard of accuracy and to conform with the regulations of the Kentucky Public Service Commission. Kenergy will make additional test of meters at the request of the member upon payment of a \$45.00 fee if the meter has been tested within the past eight years. If the meter has not been tested within the past eight years, there will be no charge for the meter test. When the test is made at the customer's request and it shows the meter is accurate, within 2% slow or fast; no adjustment will be made to the customer's bill and the fee paid will be forfeited to help cover cost of the requested test. When the test shows the meter to be in excess of 2% slow or fast, appropriate adjustments will be made to the customer's bill. Refunds will be made in accordance with the Kentucky Public Service Commission General Rules 807 KAR 5:006 Section 10(2). If the test shows the meter to be more than 2% fast the \$45.00 fee paid by the customer shall be refunded.

FAILURE OF METER TO REGISTER OR METER TEST RESULTS ARE FAST OR SLOW

T&N

In the event a customer's meter should fail to register, the customer shall be billed from the date of such failure in accordance with 807 KAR 5:006, Section 10(2). If test results on a customer's meter show an average error greater than two percent (2%) fast or slow, or if a customer has been incorrectly billed for any other reason, except in an instance where Kenergy has filed a verified complaint with the appropriate law enforcement agency alleging fraud or theft by a customer, Kenergy shall immediately determine the period during which the error has existed, and shall recompute and adjust the customer's bill to either provide a refund to the customer or collect an additional amount of revenue from the under billed customer. Kenergy shall readjust the account based upon the period during which the error is known to have existed. If the period during which the error existed cannot be determined with reasonable precision, the time period shall be estimated using such data as elapsed time since the last meter test, if applicable, and historical usage data for the customer. If that data is not available, the average usage of similar customer loads shall be used for comparison purposes in calculating the time period. If the customer and Kenergy are unable to agree on an estimate of the time period during which the error existed, the Kentucky Public Service Commission shall determine the issue. In all instances of customer over billing, the member's account shall be credited or the over billed amount refunded at the discretion of the customer within thirty (30) days after final meter test results. Kenergy shall not require customer repayment of any under billing to be made over a period shorter than a period coextensive with the under billing.

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TITLE President and CEO

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IN CASE NO. 2008-00323 DATED _____



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 154

CANCELLING PSC NO. 1

SHEET NO. _____

RULES AND REGULATIONS

Schedule 154 - Tampering

T

T If the meters or other property belonging to Kenergy are tampered with, the customer being
T supplied through such equipment shall pay the amount which Kenergy may estimate is due for
T service rendered, but not registered on Kenergy's meter and for such replacement and repairs as are
necessary, as well as for costs of inspection, investigation and protective installations.

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T



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RULES AND REGULATIONS

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Community, Town or City

PSC NO. 2

Original SHEET NO. 161

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SHEET NO. _____

RULES AND REGULATIONS

Schedule 161 – Membership Fee

T

Each prospective customer shall pay the membership fee of five (\$5.00) dollars. The membership fee will be refunded if all bills are paid, or applied against any unpaid bills of the customer at the time service is discontinued.

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Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 162

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SHEET NO.

RULES AND REGULATIONS

Schedule 162 – Deposits

(Excluding Three-Phase Over 1,000 KW & Special Contracts)

T

N

Kenergy may require a cash deposit or other guaranty from customers to secure payment of bills in accordance with 807 KAR 5:006, Section 7, except for customers qualifying for service reconnection pursuant to 807 KAR 5:006, Section 15, Winter Hardship Reconnection. Kenergy may offer customers the option of paying one-half of their deposit prior to providing service and making installments for the remaining half over a period not to exceed the first two normal billing periods. Service may be refused or disconnected for failure to pay the requested deposit.

Generally, deposits will be required from customers not meeting satisfactory credit and payment criteria. Satisfactory credit for customers will be determined by utilizing independent credit sources (primarily utilized with new customers having no prior history with Kenergy), as well as historic and ongoing payment and credit history with Kenergy. Satisfactory payment criteria with Kenergy may be established by paying all bills rendered, having no disconnections for nonpayment, having no late notices, having no defaulted credit arrangements, having no returned payments, having no meter diversion or theft of service.

Deposits for residential customers may be waived if an acceptable letter of credit from another utility for the past twelve (12) consecutive month's service period is provided, or an existing customer with an acceptable payment record signs as a guarantor. Deposits for non-residential customers may be waived if an acceptable bank letter of credit or surety bond is provided.

If a customer fails to maintain a satisfactory payment or credit record, or otherwise becomes a new or greater credit risk, as determined by Kenergy in its sole discretion, Kenergy may require a new or additional deposit from the customer. A new or additional deposit may also be required if the customer's classification of service changes or if there is a substantial change in usage.

Interest on deposits will be calculated at the rate prescribed by law, from the date of deposit, and will be paid annually either by refund or credit to the customer's bills, except that no refund or credit will be made if the customer's bill is delinquent on the anniversary date of the deposit. If interest is paid or credited to the customer's bill prior to 12 months from the date of deposit, the payment or credit will be on a prorated basis. Upon termination of service, the deposit, any principal amounts, and interest earned and owing will be credited to the final bill, with any remainder refunded to the customer.

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Henderson, Kentucky

FOR ALL TERRITORY SERVED
Community, Town or City
PSC NO. 2
Original SHEET NO. 162A
CANCELLING PSC NO. 1
SHEET NO.

RULES AND REGULATIONS

Schedule 162 - Deposits
(Excluding Three-Phase Over 1,000 KW & Special Contracts)

N Residential deposits will be retained for a period not to exceed twelve (12) months, provided the customer has met satisfactory payment and credit criteria. Non-residential deposits will be maintained as long as the customer remains on service.

If a deposit is held longer than eighteen (18) months, the deposit will be recalculated at the customer's request based on the customer's actual usage. If the deposit on account differs from the recalculated amount by more than \$10.00 for a residential customer or 10 percent for a non-residential customer, Kenergy may collect any underpayment and shall refund any overpayment by check or credit to the customer's bill. No refund will be made if the customer's bill is delinquent at the time of the recalculations.

DEPOSIT AMOUNT

I Residential customers, as defined under Sheet No. 1, will pay a deposit in the amount of \$190.00, which is calculated in accordance with 807 KAR 5:006, Section 7(1)(b).

Non-residential and three-phase customers' under 1,000 KW deposits shall be based upon actual usage of the customer at the same or similar premises for the most recent 12-month period, if such information is available. If usage information is not available, the deposit will be based on the load information provided by customer. The deposit amount shall not exceed 2/12ths of the customer's actual or estimated annual bill where bills are rendered monthly.

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PSC NO. 2

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SHEET NO.

RULES AND REGULATIONS

Schedule 163 - Billing

Kenergy's billing period is on a monthly basis and shall be flexible so as to allow various billing cycles based upon the date of the monthly meter reading. Each month, Kenergy shall render an electric service statement to each customer for approximately thirty (30) days of service. The customer shall pay the net amount of bill within sixteen (16) days of the date bill was rendered. If payment is not received by Kenergy within twenty (20) days of the date bill was rendered, the gross amount (as defined in the Rate Schedule) shall be due. The late payment charge shall only be assessed one time for any bill rendered for services. Failure to receive the bill will not release the customer from payment obligation.

The specific billing procedures adopted by Kenergy are shown below:

Table with 7 columns: Date Billed, Meter Reading Date, Due Date, Gross Date, On or After Delinquent Notice Mailed, On or After Service Termination Date. Rows show billing cycles from 1 to 27.

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Community, Town or City

PSC NO. 2

Original SHEET NO. 165

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SHEET NO. _____

RULES AND REGULATIONS

Schedule 165 – Budget Billing

T

All single-phase customers may elect to pay a fixed amount (budget plan amount) each month for the budget year in lieu of monthly billings based on actual KWH usage. The monthly budget plan amount will be determined by Kenergy based, under normal circumstances, on a minimum of one-eleventh (1/11th) of the estimated annual usage, subject to review and adjustment during the budget year. The budget year is the twelve months as shown below:

<u>BUDGET YEAR</u>	<u>SETTLEMENT MONTH</u>
October - September	September

At the end of the budget year, in the settlement month, appropriate adjustments shall be made with regard to any difference in the total of payments made and customer's actual usage, with any over-payment refunded or any under-payment billed to the customer and due and payable on the date specified.

This billing arrangement may continue in effect until either party notifies the other as to a discontinuance of same or as to a change in the budget amount or any terms and conditions of the agreement. In the event service is disconnected for failure of customer to pay the budget amount, the entire amount for service actually received to date of disconnect shall become immediately due and payable and the agreement shall terminate.

Failure to receive a bill in no way exempts customer from the provisions of these TERMS AND CONDITIONS.

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Community, Town or City

PSC NO. 2

Original SHEET NO. 166

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SHEET NO. _____

RULES AND REGULATIONS

Schedule 166 – Partial Payment Plan

T

T Residential customers who are unable to pay their bills in accordance with Kenergy’s regular payment
T terms may come to Kenergy’s office during normal business hours to make arrangements for a partial
T payment plan and retention of service. Such arrangements shall be made before the arrival at the
T service location of Kenergy field collection personnel.

The agreement will be mutually agreed upon and reasonable and in accordance with the provisions set forth in 807 KAR 5:006, Section 14, Refusal or Termination of Service, and Section 15, Winter Hardship Reconnection. The agreement shall be in writing and signed by the customer. The agreement will state and the customer will be advised that should they fail to honor the payment schedule mutually agreed upon, the customer’s service may be disconnected without prior additional notice.

D

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Original SHEET NO. 167

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SHEET NO.

RULES AND REGULATIONS

Schedule 167 – Monitoring Usage

D

Kenergy has established the following procedure for monitoring customer usage so as to detect any unusual deviations in individual customer usage and the reasons for such deviation:

T

1. A computerized billing system is utilized to automatically alert Kenergy to any customer provided monthly meter reading which would cause KWH usage to be significantly higher or lower than usual. The criteria employed in the computer program to determine "high" usage is the current month's KWH usage being at least 100% higher than the prior month's usage and at least 100% higher than the same month's usage in the previous year. The "low" usage computer program criteria is the current month's KWH usage is at least 50% less than the prior month's usage and at least 50% less than the same month's usage in the previous year. Based on these criteria, a computer exception report is produced daily that identifies customers' accounts which have significantly higher or lower KWH usage.

2. The daily high/low exception report is reviewed by Kenergy billing personnel, wherein they consider the type of service, past KWH usage history, weather conditions, or other unique circumstances in trying to determine cause. If the cause for deviation cannot be determined from analysis of customer's billing records, Kenergy will contact customer by phone or in writing for additional information.

3. Where the deviation is not otherwise explained, Kenergy will test the customer's meter to determine proper registration as prescribed by regulations of Kentucky Public Service Commission. Kenergy will notify the customer of the investigation, its findings, and any refunds or back billing in accordance with 807 KAR 5:006, Section 10(4) and (5). Kenergy will use the same process to investigate usage deviations brought to its attention as a result of its ongoing meter reading programs or by customer inquiry.

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FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

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SHEET NO.

RULES AND REGULATIONS

Schedule 167 – Monitoring Usage

T

USAGE INVESTIGATION

If Kenergy's procedure for monitoring usage indicates that an investigation of a customer's usage is necessary, the utility shall notify the customer in writing either during or immediately after the investigation of the reasons for the investigation, and of the findings of the investigation. If knowledge of a serious situation requires more expeditious notice, the utility shall notify the customer by the most expedient means available.

CUSTOMER NOTIFICATION

If a meter is tested and it is found necessary to make a refund or back-bill a customer, the customer shall be notified in substantially the following form:

On _____, 20__, the meter bearing identification number _____, installed in your building located at _____ (number and Street) in _____ (city) was tested at _____ (on premises or elsewhere) and found to register _____ (percent fast or slow). The meter was tested on a _____ (periodic, request, complaint) test.

Based upon this we herewith _____ (charge or credit) with the sum of \$_____, which amount has been noted on your regular bill. If you desire a cash refund rather than a credit to your account, of any amount overbilled, you must notify this office in writing within seven (7) days of the date of this notice.

STATUS OF CUSTOMER ACCOUNTS DURING BILLING DISPUTE

With respect to any billing dispute to which Section 10 of this administrative regulation does not apply, customer accounts shall be considered to be current while the dispute is pending as long as a customer continues to make undisputed payments and stays current on subsequent bills.

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Community, Town or City

PSC NO. 2

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SHEET NO. _____

RULES AND REGULATIONS

Schedule 168 - Taxes

T

T



The sales and use tax imposed under KRS Chapter 139 shall be added to the bill of all applicable customers. If a school tax is imposed by a school district rates shall be increased in that district by the amount of the school tax imposed, as authorized under KRS 160.617.

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RULES AND REGULATIONS

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Henderson, Kentucky

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Original SHEET NO. 177

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SHEET NO. _____

RULES AND REGULATIONS

Schedule 177 – Customer Requested Service Termination

- T Any customer desiring service terminated or changed from one address to another shall give Kenergy
- T three (3) working days' notice in person, in writing, or by telephone or email, provided such notice does not violate contractual obligations or tariff provisions. The customer shall not be responsible for charges for service beyond the three (3) day notice period if the member provides reasonable access to the meter during the notice period. If the customer notifies Kenergy of his request for termination by telephone, the burden of proof is on the customer to prove that service termination was requested if a dispute arises.

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Henderson, Kentucky

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RULES AND REGULATIONS

Schedule 178 – Continuity of Service

T

- T (a) Kenergy shall use reasonable diligence to provide a constant and uninterrupted supply of electrical power and energy, but if such a supply should fail or be interrupted or become defective through an act of God, or the public enemy, or by accident, strikes or labor disputes, or by action of the elements or by inability to secure right(s)-of-way easements or for any other cause beyond the reasonable control of Kenergy, Kenergy shall not be liable.
- T (b) Kenergy may, as deemed necessary, suspend the supply of electric energy to any customer(s) for the purpose of making repairs, changes or improvements upon its system.
- N (c) Customer shall give Kenergy immediate notice of any interruption or irregularities or unsatisfactory service and of any defects known to the customer.

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PSC NO. 2

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RULES AND REGULATIONS

Schedule 179 – Emergency Services Performed for Customer

T Kenergy employees are prohibited from making repairs or performing services to customer equipment or property except in case of emergency or to protect the public or customer's person or property, in which event, Kenergy may charge for such services rendered at the rate of time and materials used; provided, however, that this provision creates no duty on the part of Kenergy or its employees to inspect, repair, or perform service to customer's equipment or property, or to protect the public or customer's person or property.

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Community, Town or City

PSC NO. 2

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SHEET NO.

RULES AND REGULATIONS

Schedule 180 – Capacity and Energy Emergency Plan

T

Purpose – To provide a plan for reducing the consumption of electric energy on Kenergy’s system in the event of a severe electric energy shortage.

The following customer curtailment priority levels have been established:

- I. Essential Health and Safety Uses (as defined in Appendix A)
II. Residential Use
III. Commercial and Industrial Uses
IV. Nonessential Uses – Make Public Appeal for Voluntary Load Reduction (as defined in Appendix B)

Procedures – Kenergy’s wholesale power supplier, Big Rivers Electric Corporation (“BREC”), will notify Kenergy in the event of a severe electric energy shortage and the following steps will be implemented. These steps will be carried out to the extent not prohibited by contractual commitments or by order of the regulatory authorities having jurisdiction.

Kenergy will take the following actions listed in priority order:

T

- 1. Kenergy will initiate its Load Reduction Procedure as outlined in Appendix C.
2. BREC will notify Kenergy and both will initiate media appeal for general Voluntary Load Reduction Procedure, Appendix E.
3. Kenergy will initiate its Voltage Reduction Procedure as outlined in Appendix D.
4. BREC will request Kenergy to initiate mandatory load reduction, Appendix F.



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SHEET NO.

RULES AND REGULATIONS

Schedule 180 – Capacity and Energy Emergency Plan

APPENDIX "A"

ESSENTIAL HEALTH AND SAFETY USES

Essential health and safety uses given special consideration in these procedures shall, insofar as the situation permits, include the following types of use and such other uses that the Kentucky Public Service Commission may subsequently identify:

- a. "Hospitals", and other institutions such as nursing homes that provide medical care to patients.
b. "Life Support Equipment", which shall be limited to kidney machines, respirators, and similar equipment used to sustain the life of a person.
c. "Police Stations and Government Detention Institutions", which shall be limited to essential uses required for police activities and the operation of facilities used for the detention of persons.
d. "Fire Stations", which shall be limited to facilities housing mobile fire-fighting apparatus.
e. "Communications Services", which shall be limited to essential uses required for the supply of water to a community, flood pumping and sewage disposal.
g. "Transportation and Defense-Related Services", which shall be limited to essential uses required for the operation, guidance control and navigation of air transit systems...

Although these types of uses will be given special consideration when implementing the manual load-shedding provisions of this section, these customers are encouraged to install emergency generation equipment if continuity of service is essential.

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FOR ALL TERRITORY SERVED

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PSC NO. 2

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CANCELLING PSC NO. 1

SHEET NO.

RULES AND REGULATIONS

Schedule 180 – Capacity and Energy Emergency Plan

APPENDIX "B"
NONESSENTIAL USES

Kenergy shall appeal to customers for Voluntary Load Reduction through elimination of the following nonessential uses:

- a. Outdoor flood and advertising lighting, except for the minimum level to protect life and property...
b. General interior lighting levels greater than minimum functional levels.
c. Show-window and display lighting.
d. Parking lot lighting above minimum functional levels.
e. Energy use greater than that necessary to maintain a temperature of not less than 76 degrees...
f. Elevator and escalator use in excess of the minimum necessary for non-peak hours of use.
g. Energy use greater than that which is the minimum required for lighting, heating or cooling...

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CANCELLING PSC NO. 1

SHEET NO.

RULES AND REGULATIONS

Schedule 180 – Capacity and Energy Emergency Plan

APPENDIX "C"

LOAD REDUCTION PROCEDURE

Objective:

To reduce demand at the facilities of Kenergy Corp. over the time period during which an electric energy shortage is anticipated.

Criteria:

This procedure is implemented when a LOAD REDUCTION ALERT is issued. The president and CEO, or his designee, has the responsibility of issuing a Load Reduction Alert.

Procedure:

- 1. The President and CEO, or his designee, receives notice from BREC of a capacity shortage.
2. The President and CEO, or his designee, is responsible for seeing that Kenergy employees participate in achieving the largest load reduction practical while maintaining facility services in a safe manner.
3. Each Vice President is responsible for achieving the largest load reduction practical while maintaining facility services in a safe manner.
4. Examples of load reduction are:
a. turning off all unnecessary indoor and outdoor lighting,
b. turning off microcomputers, printers, copiers and other office equipment except when they are not in use, and
c. in the winter, setting thermostats no higher than 68 degrees and in the summer no lower than 76 degrees.

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SHEET NO.

RULES AND REGULATIONS

Schedule 180 -- Capacity and Energy/Emergency Plan

APPENDIX "D"

VOLTAGE REDUCTION PROCEDURE

Objective:

To reduce demand on Kenergy's system over the period during which an electric energy shortage is anticipated by utilizing SCADA equipment to reduce the system voltage by up to 4.5 volts at the substation voltage regulators.

Criteria:

This procedure is implemented when requested by BREC Dispatch Center.

Procedure:

Kenergy will immediately, through its Dispatch Center personnel, utilize SCADA equipment to reduce voltage set points on substation regulators while also considering the requirement to maintain minimum voltage requirements as prescribed by the Kentucky Public Service Commission.

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SHEET NO.

RULES AND REGULATIONS

Schedule 180 – Capacity and Energy/Emergency Plan

APPENDIX "E"

VOLUNTARY LOAD REDUCTION PROCEDURE

Objective:

To reduce demand on Kenergy's system over the period during which an electric energy shortage is anticipated through media appeal for consumers to reduce energy use.

Criteria:

This procedure is implemented when requested by BREC Energy Control Center.

Procedure:

Notify service area radio and television stations of the electrical energy shortage and ask them to make public service announcements as recommended by BREC personnel. An example announcement is as follows:

"Attention – All Kenergy Customers: Kenergy is experiencing a critical shortage in the supply of electricity, and is requesting that all nonessential electrical appliances and lighting be turned off, and thermostats be lowered/raised immediately until (time of emergency). Please stop all unnecessary electricity use at this time. Thank you for your cooperation."

Notify industrial or large commercial consumers, without interruptible contracts and request that they reduce their energy usage during the emergency.

DATE OF ISSUE September 3, 2008

Month / Date / Year

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Month / Date / Year

ISSUED BY Sanford Norick

(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED



Henderson, Kentucky

FOR ALL TERRITORY SERVED

Community, Town or City

PSC NO. 2

Original SHEET NO. 180F

CANCELLING PSC NO. 1

SHEET NO.

RULES AND REGULATIONS

Schedule 180 – Capacity and Energy Emergency Plan

APPENDIX "F"

MANDATORY LOAD CURTAILMENT PROCEDURE

Objective:

To reduce demand on Kenergy's system over the period during which an electric energy shortage is anticipated by interrupting firm consumer load as requested by BREC Energy Control Center.

Criteria:

This procedure is implemented when requested by BREC.

Procedures:

Kenergy will immediately utilize Dispatch Center Personnel and SCADA equipment to interrupt service to customer loads to achieve the reduction requested by BREC. Reduction may be achieved by interrupting services through the use of rotating outages to various substation feeder circuits. Kenergy shall advise customers of the nature of the mandatory load curtailment procedures as soon as practical through the use of radio and television announcements and/or direct contact.

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ISSUED BY [Signature]
(Signature of Officer)

TITLE President and CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2008-00323 DATED