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RECEIVED

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**PUBLIC SERVICE
COMMISSION**

Via Overnight Mail

April 13, 2009

Mr. Jeff Derouen, Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602

Re: Case No. 2009-00040

Dear Mr. Derouen:

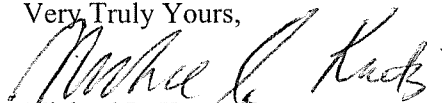
On April 13, 2009 Big Rivers filed a Motion to Strike the Brief submitted by KIUC in this matter. Big Rivers asserts that because Attachments 1 and 2 to KIUC's Brief were not introduced into the record during the March 26, 2009 emergency hearing, KIUC's Brief should not be considered by the Commission in determining whether to approve the requested 21.6% rate increase on all consumers.

Attachment 1 is a single balance sheet page from the January 2002-2009 financial records of Big Rivers. Big Rivers submits this information to the Commission every month and it is part of the Commissions official records. KIUC obtained these financial records from the Commission.

Attachment 2 is a credit ratings report of Big Rivers issued by Moody's. Big Rivers submitted this report to the Commission in the related Unwind case (Case No. 2007-00455) after the March 26, 2009 emergency hearing.

KIUC intends to submit a Response in Opposition to the Motion to Strike within ten days. In the interim, KIUC does wish to point out that any document on file with the Commission may be made part of the record in this case through incorporation by reference. 807 KAR 5:001 Section 5 (5). KIUC's Response will include a Motion to Take Notice of the two Attachments. Please place this document of file.

Very Truly Yours,



Michael L. Kurtz, Esq.

BOEHM, KURTZ & LOWRY

MLKkew

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy by first-class postage prepaid mail to all parties on the 13th day of April, 2009.

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