

BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW
36 EAST SEVENTH STREET
SUITE 1510
CINCINNATI, OHIO 45202
TELEPHONE (513) 421-2255
TELECOPIER (513) 421-2764

RECEIVED

FEB 23 2011

**PUBLIC SERVICE
COMMISSION**

Via Overnight Mail

February 22, 2011

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

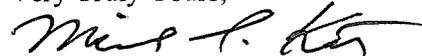
Re: Case No. 2011-00035

Dear Mr. Derouen:

Please find enclosed the original and twelve (12) copies of PETITION TO INTERVENE OF KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC. filed in the above-referenced matter. By copy of this letter, all parties listed on the Certificate of Service have been served.

Please place this document of file.

Very Truly Yours,



Michael L. Kurtz, Esq.
BOEHM, KURTZ & LOWRY

MLKkew
Attachment
cc: Certificate of Service
David C. Brown, Esq.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by electronic mail (when available) or by mailing a true and correct copy by regular ordinary U.S. mail, unless other noted, this 22nd day of February, 2011 to the following:



Michael L. Kurtz, Esq.

J. Christopher Hopgood
Dorsey, King, Gray, Norment & Hopgood
318 Second Street
Henderson, KY 42420

Sanford Novick
President and CEO
Kenergy Corp.
P. O. Box 18
Henderson, KY 42419

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In The Matter Of: Notice of Intent of Kenergy Corp. to File an :
Application for an Increase in Retail Rates : Case No. 2011-00035
:

**PETITION TO INTERVENE OF
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.**

Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Kentucky Industrial Utility Customers, Inc. (“KIUC”) requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

1. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before this Commission and before all other appropriate governmental bodies.
2. The members of KIUC who purchase electricity from Big Rivers Electric Corporation (“Big Rivers”) through Kenergy Corp. who will participate herein are: Alcan Primary Products Corporation, Century Aluminum of Kentucky, General Partnership, Domtar Paper Co., LLC, Kimberly Clark Corporation and Aleris International, Inc. KIUC will supplement its Petition with the names of additional participating members as this information becomes known.
3. All KIUC member companies have a similar interest in ensuring that the rates charged by Kenergy to retail consumers are just and reasonable.
4. The matters being decided by the Commission in this case may have a significant impact on the rates paid by KIUC members for electricity. Electricity represents a significant cost of doing business for KIUC members. The attorneys for KIUC authorized to represent them in this proceeding and to take service of all documents are:

Michael L. Kurtz, Esq.
BOEHM, KURTZ & LOWRY
36 E. Seventh Street, Suite 1510
Cincinnati, Ohio 45202
Ph: (513) 421-2255, Fax: (513) 421-2765
E-Mail: mkurtz@BKLawfirm.com
COUNSEL FOR KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

David C. Brown, Esq.
STITES & HARBISON
1800 Providian Center
400 West Market Street
Louisville, KY 40202
Ph: (502) 587-3400 Fax: (502) 587-6391
E-mail. dbrown@stites.com
CO-COUNSEL FOR ALCAN PRIMARY PRODUCTS CORPORATION

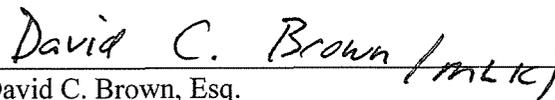
5. The position of KIUC cannot be adequately represented by any existing party. KIUC intends to play a constructive role in the Commission's decision making process herein and KIUC's participation will not unduly prejudice any party.

WHEREFORE, KIUC requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,



Michael L. Kurtz, Esq.
BOEHM, KURTZ & LOWRY
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202
Ph: (513) 421-2255 Fax: (513) 421-2764
E-Mail: mkurtz@BKLawfirm.com
COUNSEL FOR KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.



David C. Brown, Esq.
STITES & HARBISON
1800 Providian Center, 400 West Market Street
Louisville, KY 40202
Ph: (502) 587-3400 Fax: (502) 587-6391
E-mail. dbrown@stites.com
CO-COUNSEL FOR ALCAN PRIMARY PRODUCTS CORPORATION

February 22, 2011