### BOEHM, KURTZ & LOWRY

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#### **VIA OVERNIGHT MAIL**

May 17, 2012

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

MAY 1 8 2012

PUBLIC SERVICE COMMISSION

Re: <u>Case No. 2012-00169</u>

Dear Mr. Derouen:

Please find enclosed the original and twelve (12) copies of the PETITION TO INTERVENE OF GALLATIN STEEL COMPANY filed in the above-referenced matter.

By copy of this letter, all parties listed on the attached Certificate of Service been served. Please place this document of file.

Very Truly Yours,

Michael L. Kurtz, Esq.

**BOEHM, KURTZ & LOWRY** 

MLKkew Attachment

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 17<sup>th</sup> day of May, 2012.

Michael L. Kurtz, Esq.

Mark David Goss Frost, Brown, Todd, LLC 250 West Main Street Suite 2800 Lexington, KY 40507

Ann F Wood East Kentucky Power Cooperative, Inc. 4775 Lexington Road P. O. Box 707 Winchester, KY 40392-0707

## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

THE APPLICATION OF EAST KENTUCKY POWER :

Case No. 2012-00169

COOPERATIVE INC. TO TRANSFER FUNCTIONAL

CONTROL OF CERTAIN TRANSMISSION FACILITIES

TO PJM INTERCONNECTION, LLC

# PETITION TO INTERVENE OF GALLATIN STEEL COMPANY

Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Gallatin Steel Company ("Gallatin") requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

- 1. Gallatin is the largest end use customer located in the Owen Electric Cooperative ("Owen") service territory. Owen is in turn provided with generation and transmission service by East Kentucky Power Cooperative, Inc. ("EKPC").
- 2. The matters being decided by the Commission in this case may have a significant impact on the rates paid by Gallatin for electricity. Electricity represents a significant cost of doing business for Gallatin. The attorneys for Gallatin authorized to represent them in this proceeding and to take service of all documents are:

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

36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202

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

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

Respectfully submitted,

Michael L. Kurtz, Esq.

**BOEHM, KURTZ & LOWRY** 

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Cincinnati, Ohio 45202

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COUNSEL FOR GALLATIN STEEL COMPANY

Kurtz