



SIERRA
CLUB
FOUNDED 1892

November 27, 2013

Via Personal Delivery

Mr. Jeff Derouen, Executive Director
Case No. 2013-00259
Kentucky Public Service Commission 211
Sower Blvd.
Frankfort, KY 40601

Re: Case No. 2013-00259 Motion of Sonia McElroy and Sierra Club to Deviate from the Schedule

Dear Mr. Derouen,

Enclosed please find one (1) original and ten (10) copies of Motion of Sonia McElroy and Sierra Club to Deviate from the Schedule. By copy of this letter, all parties listed on the Certificate of Service have been served via USPS and e-mail. Please place this document of file.

Sincerely,

Kristin A. Henry
Senior Attorney
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NOV 27 2013

PUBLIC SERVICE
COMMISSION

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

In the Matter of:

**In the Matter of the Application of East Kentucky Power)
Cooperative, Inc. for a Certificate of Public Convenience)
and Necessity for Alteration of Certain Equipment at the) CASE NO. 2013-00259
Cooper Station and Approval of a Compliance Plan)
Amendment for Environmental Surcharge Cost Recovery)**

**MOTION OF SONIA MCELROY AND SIERRA CLUB TO
DEVIATE FROM THE SCHEDULE**

Sonia McElroy and the Sierra Club (collectively, “Intervenors”) hereby move the Kentucky Public Service Commission (“Commission”) for leave to partially deviate from the schedule amended by the Commission on November 25, 2013. Specifically, consistent with the November 25 Order, Intervenors will file the public version of their testimony on November 27, 2013 and electronically serve the parties entitled to the confidential versions with the confidential versions on November 27, 2013. However, Intervenors move the Commission to allow them to file the confidential version on December 2, 2013. Intervenors make this request because their local Counsel’s office is closed on November 27, 2013 due to the Thanksgiving holiday, and thus are unable to file the confidential version.

In support of this motion, Intervenors state as follows. On November 25, 2013, the Commission issued an order amending the procedural schedule in this case. Pursuant to the amended schedule, Intervenors must file and serve any direct testimony no later than November 27, 2013.

Intervenors intend to comply with the scheduling order by filing with the Commission the public versions of their testimony on November 27, 2013. Intervenors will also serve all parties with an electronic copy of the public version and will serve all parties who have entered a nondisclosure agreement with East Kentucky Power Cooperative a copy of the confidential versions of the testimony on November 27, 2013.

However, the office of Intervenors' local counsel Mr. Joe Childers is closed on November 27, 2013 due to the Thanksgiving holiday. As a result, Intervenors move the Commission for permission to file the confidential versions of Intervenors' testimony on December 2, 2013, when Mr. Childers' office reopens after the Thanksgiving holiday.

Granting the requested relief will not prejudice any of the other parties. Intervenors will not receive any additional time to develop or alter their testimony. The other parties in this case, including Eastern Kentucky Power Cooperative, will be served electronically with the confidential versions of Intervenors' testimony on November 27, 2013.

For the reasons described above, Intervenors respectfully request that the Commission permit Intervenors to file with the Commission the confidential versions of their testimony on December 2, 2012.

Respectfully submitted,



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Dated: November 27, 2013

CERTIFICATE OF SERVICE

I certify that I had filed with the Kentucky Public Service Commission and served a copy of this **MOTION OF SONIA MCELROY AND SIERRA CLUB TO COMPEL EAST KENTUCKY POWER COOPERATIVE TO RESPOND TO INTERVENORS SUPPLEMENTAL REQUESTS FOR INFORMATION AND FOR CONTINUANCE OF CASE SCHEDULE** via electronic mail on November 27, 2013 to the following:

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