

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION OF EAST KENTUCKY)	
POWER COOPERATIVE, INC.'S NEED)	
FOR THE GILBERT UNIT AND THE)	CASE NO. 2003-00030
KENTUCKY PIONEER ENERGY, LLC)	
PURCHASE POWER AGREEMENT)	
THE APPLICATION OF EAST KENTUCKY)	
POWER COOPERATIVE, INC. FOR)	CASE NO. 2000-00079
APPROVAL TO PURCHASE POWER)	
AGREEMENT)	

COMMISSION STAFF S FIRST DATA REQUEST
TO KENTUCKY PIONEER ENERGY, LLC

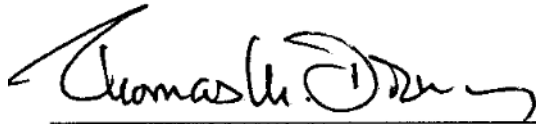
Pursuant to 807 KAR 5:001, Commission Staff requests that Kentucky Pioneer Energy, LLC (Kentucky Pioneer) file the original and 5 copies of the following information with the Commission on or before September 2, 2003, with a copy to all parties of record. Each copy of the information requested should be placed in a bound volume with each item tabbed. When a number of sheets are required for an item, each sheet should be appropriately indexed, for example, Item 1(a), Sheet 2 of 6. Include with each response the name of the witness who will be responsible for responding to questions relating to the information provided. Careful attention should be given to copied material to ensure its legibility. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

1. Refer to the response of Dwight Lockwood dated June 30, 2003, and attached as Exhibit 1 to the prepared testimony of David D. Drake on behalf of East Kentucky Power Cooperative, Inc. (East Kentucky). At page 3 of Mr. Lockwood s response, in the first paragraph under the section titled Availability, he states that the comments set forth in the report of East Kentucky s consultant will be reflected by Kentucky Pioneer in the plant design and operational planning as the project moves forward. Has Kentucky Pioneer completed the plant design and operational planning for this project? If yes, provide copies of the relevant documents. If no, state the estimated date when such documents will be completed.

2. Refer to East Kentucky s July 28, 2003 response to the Commission s first information request dated July 17, 2003, Item No. 4. Does Kentucky Pioneer agree with East Kentucky s position that an extensive engineering and economic analysis of the project must be prepared by an independent engineering consulting firm prior to any financial closure of the project ? If no, explain in detail.

3. Refer to the prepared testimony of David H. Brown-Kinloch on behalf of the Office of the Attorney General. Does Kentucky Pioneer agree with Mr. Brown-Kinloch s conclusion at page 9, lines 1-2, that, the justification for the Commission s original approval of the KPE contract is no longer valid ? If no, explain in detail.

4. Refer to the testimony of Mr. Brown-Kinloch at page 9, lines 8-11. Does Kentucky Pioneer agree with the conclusions stated therein that the Kentucky Pioneer/East Kentucky Power Purchase Agreement has become unusable as a power purchase contract and thus invalid because of KPE failure to meet deadlines in the contract ? If no, explain in detail.



Thomas M. Dorman
Executive Director
Public Service Commission
P. O. Box 615
Frankfort, Kentucky 40602

DATED: August 21, 2003

cc: Parties of Record

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