

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TARIFF FILING OF KENERGY CORP.            )  
FOR ACCEPTANCE AND EXPEDITED            )  
IMPLEMENTATION OF A SPECIAL            )  
RETAIL CONTRACT                                )            CASE NO. 2008-00125

O R D E R

Kenergy Corp. (“Kenergy”) is an electric distribution cooperative organized under KRS Chapter 279. On March 21, 2008, Kenergy filed a special retail electric contract between Kenergy and Patriot Coal Company, L.P. (“Patriot Coal”). The details of the contract are as follows:

1. Kenergy agrees to sell and deliver to Patriot Coal, and Patriot coal agrees to purchase, electric power and energy, up to 5.5 MW, subject to certain terms.
2. Kenergy agrees to use reasonable diligence to provide a constant and uninterrupted supply of electric power and energy to Patriot Coal.
3. The terms of the contract shall remain in effect for 12 years and 6 months following the start of the initial billing period.

Pursuant to KRS 278.180(1), Kenergy must give the Commission 30 days’ notice prior to implementing this retail contract. Kenergy has requested that the notice period be reduced, as permitted by the statute. Since the only retail customer affected by this contract has consented in writing to all of the contract terms, the Commission finds good

cause to reduce the notice period to 20 days. Consequently, the retail contract will become effective on April 10, 2008.

IT IS THEREFORE ORDERED that the retail electric contract between Kenergy and Patriot Coal, as described in the findings above, is accepted for service effective April 10, 2008.

Done at Frankfort, Kentucky, this 10<sup>th</sup> day of April, 2008.

By the Commission

ATTEST:

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Executive Director