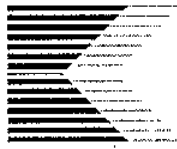


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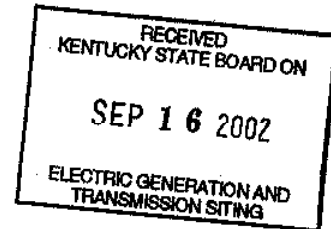
**KRUGLIAK
WILKINS
GRIFFITHS &
DOUGHERTY
CO., L.P.A.**



THE FUTURE OF LAW

Scott M. Zurakowski
Direct Line: (330) 244-2873
szurakowski@kwgd.com

September 12, 2002



- *Samuel Krugliak
- F. Stuart Wilkins
- Raymond E. Griffiths
- Ronald W. Dougherty
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- Scott R. Miller
- John D. Clark
- Todd M. Kolarik
- Stephanie Morgan Greene
- Gregory D. Swope
- Scott M. Zurakowski
- Benjamin B. de Forest

Mr. Frank Rotundi
Kentucky Mountain Power, LLC
250 Main Street
Lexington, KY 40507

**RE: Case Number 2002-00149 Enviropower, LLC
Kentucky Mountain Power, LLC Merchant Power Plant**

Dear Mr. Rotundi:

Please be advised that the undersigned represents Mr. Ezra C. Adair, individually and dba A.C.E. Development and Klondike Mining, Inc. The purpose of this correspondence is to put Enviropower, LLC and Kentucky Mountain Power, LLC on notice of the fact that Mr. Adair, individually and dba A.C.E. Development and Klondike Mining, Inc., claim title to the ownership of the mineral interests which Enviropower, LLC and Kentucky Mountain Power, LLC will unlawfully take and/or remove, if Enviropower, LLC and Kentucky Mountain Power, LLC are permitted to construct the merchant power plant facility.

Please contact me at your earliest convenience so that we may further discuss this matter. Your failure to do so will result in my client seeking further legal action, including seeking injunctive relief.

Very truly yours,

**KRUGLIAK, WILKINS, GRIFFITHS
& DOUGHERTY CO., L.P.A.**

Scott M. Zurakowski

SMZ/sja

pc: Kentucky State Board on Electric Generation and Siting

4775 MUNSON ST NW
P.O. BOX 36963
CANTON, OH 44735-6963
330 497 0700
FAX 330 497 4020

OFFICES IN:
CANTON, ALLIANCE,
NEW PHILADELPHIA
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