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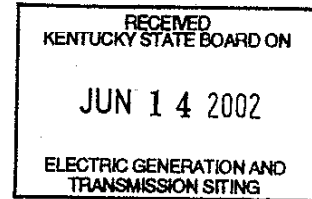
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William Grover Arnett
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June 13, 2002

HAND DELIVERED



Kentucky State Board on Electrical Generation
and Transmission Siting
C/O Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, Kentucky 40601
CASE NO. 2002-00149

**OBJECTION TO ENVIROPOWER, LLC INTENTION TO
CONSTRUCT ITS NOMINAL 520 MEGAWATT
COAL FIRED ELECTRICAL GENERATING FACILITY
IN KNOTT COUNTY**

Gentlemen,

The undersigned Counsel represents the interest of the heirs at law of the deceased Joe D. Weddington, Sr. and accordingly his estate thereof. The basis for this objection is that any mineral and the land thereof is owned at least in pertinent part by J. D. Weddington, Sr. and his heirs at law. Said objections is based upon the fact that the intention to construct its nominal 520 megawatt coal fired electrical generating facility, which will include an ash landfill approximately 1 mile South of the plant site in Knott County, by EnviroPower, LLC, said construction of such facility lying approximately 13 miles NE of Hazard and approximately 2 miles North of Highway 80. (The power plant will be located on a 195 acre knob known as "Potato Knob" and the facility will include and ash landfill approximately 1 mile South of the plant site on about 550 acres of mined out property leased from Appalachian Reality Company, and will convert an existing coal refuse impoundment into a freshwater reservoir on approximately 125 acres of leased property located 1/2 miles Southwest of the plant site. The power plant will draw water from the North Fork of the Kentucky River through a pipeline to be constructed and will connect to AEP's electrical grid at the Hazard and Beavers Creek substations.) would be injurious and detrimental to the Estate of J. D. Weddington for the

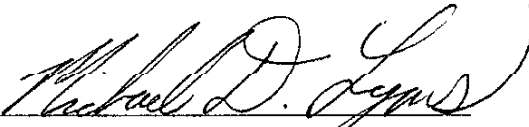
*Personal Injury *Car Wrecks *Slip and Falls *Products Liability *Social Security Disability
*Worker's Compensation *General Practice of Law

simple fact that there has been no price per ton nor lease agreement nor any other agreement established or attempted to be negotiated as between the heirs at law in the estate of J.D. Weddington, Sr.

Wherefore, this objection is filed and a request is made of the appropriate agency to deny said permit and/or in the alternative if a denial is not issued of said permit that a permit conference be taken place with the Kentucky State Board on Electrical Generation and Transmission Siting and Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40601 and those attempting to construct said facility.

Sincerely,

The Law Office of
William Grover Arnett P.S.C.

BY: 
William Grover Arnett, Esq.
Michael D. Lyons, Esq.