



Paul E. Patton
Governor

**Kentucky State Board on Electric
Generation and Transmission Siting**
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602
(502) 564-3940

Chmn. Martin J. Huelsmann, *ex officio*
Chairman, Kentucky Public Service
Commission

Gary W. Gillis, *ex officio*
Kentucky Public Service Commission

Robert E. Spurlin, *ex officio*
Kentucky Public Service Commission

James E. Bickford, *ex officio*
Secretary, Kentucky Natural Resources
and Environmental Protection Cabinet

Marvin E. Strong, Jr., *ex officio*
Secretary, Kentucky Economic
Development Cabinet

June 5, 2002

Honorable Peter C. Brown
Attorney and Director of Contract Administration
EnviroPower, LLC
2810 Lexington Financial Center
Lexington, KY 40507

Re: Case No. 2002-00149
EnviroPower, LLC
Filing Deficiencies

Dear Mr. Brown:

The Board staff has reviewed your initial and supplemental filings in the above case. The application is deficient in certain filing requirements. The items listed below are either required to be filed with the application or will be filed at a later date.

1. Filing deficiency pursuant to 807 KAR 5:110E, Section 3(2)(b):

The Table of Contents does not have citations to legislation. The application shall contain a table of contents that lists, for each document enclosed, the number of tab behind which each document is located, the statutory provision pursuant to which the document is submitted and the name of the person who will respond to questions on information contained in the documents.

2. Filing deficiency pursuant to SB 257, Section 4(2)(b):

A full description of the proposed site, including a map showing the distance of the proposed site from residential neighborhoods, the nearest residential structures, schools, and public and private parks that are located within a two (2) mile radius of the proposed facility.



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3. Filing deficiency pursuant to SB 257, Section 5(3)(a):

A site assessment report shall include a description of the proposed facility, including a proposed site development plan that describes:

- The legal boundaries of the proposed site; in determining the sufficiency of this application, Board staff will treat the actual facility boundaries as the “legal boundaries of the proposed site” within the meaning of SB 257, Section 5(3)(a)(2). Provide a legal description of these boundaries.
- The location of facility buildings, transmission lines, and other structures.

4. Filing deficiency pursuant to SB 257, Section 5(3)(c) and (d):

- The potential changes in property values resulting from the siting, construction, and operation of the proposed facility for property owners adjacent to the facility.
- Evaluation of anticipated peak and average noise levels associated with the facility’s construction and operation at the property boundary.

The statutory time period in which the Board must process this case will not commence until the above-mentioned information is filed with the Commission. You are requested to file 10 copies and one electronic filed copy of this information within 15 days of the date of this letter. If you need further information, please contact Robert Amato, P.E., Director of Engineering, at 502-564-3940, extension 400.

Sincerely,



Stephanie Bell
Secretary of the Commission

SB/sgH

cc: Attached List



Randy Bird P.E., P.L.S.
Project Consultant Engineer
EnviroPower, LLC
117 Lincoln Street
Hazard, KY 41701

Honorable Peter C. Brown
Attorney/Director Contract Adm.
Kentucky Mountain Power
2810 Lexington Financial Center
Lexington, KY 40507

Honorable Robert E. Cornett
Judge/Executive
Breathitt County Courthouse
1137 Main Street
Jackson, KY 41339

Mike Haydon
Governor's Office
The Capitol
700 Capitol Ave., Ste. 100
Frankfort, KY 40601-3492

Hank List
Deputy Secretary
Natural Resources & Environmental
Office of Legal Services
5th Floor, Capital Plaza Tower
500 Mero Street
Frankfort, KY 40601

Honorable Donnie Newsome
Judge/Executive
Knott County Courthouse
P.O. Box 505
Hindman, KY 41822

Honorable Denny Ray Noble
Judge/Executive
Perry County Courthouse
P.O. Box 210
Hazard, KY 41701

Frank Rotondi
CEO
Kentucky Mountain Power, LLC
250 Main Street
Lexington, KY 40507

Honorable Paul H. Thompson
Judge/Executive
Floyd County Courthouse Annex
149 S. Central Ave.
Prestonsburg, KY 41653

J. R. Wilhite
Commissioner - Community Development
Economic Development Cabinet
2300 Capital Plaza Tower
500 Mero Street
Frankfort, KY 40601