



Attention: **Electric Generation Board**

Date: 9/11/02

Company:

Number of Pages: 2

Fax Number: 1-502-564-3460

Voice Number:

From: **Ky Resources Council Inc**

RECEIVED  
KENTUCKY STATE BOARD ON  
  
SEP 11 2002  
  
ELECTRIC GENERATION AND  
TRANSMISSION SITING

Company:

Fax Number: 1-502-456-0510

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Subject:

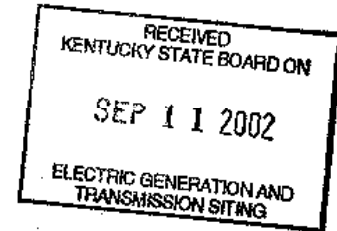
**Comments:**

For Tom Dorman, Director, Siting Board

Could you also get a copy of this to Angela Curry? Thanks!

## Kentucky Resources Council, Inc.

Post Office Box 1070  
Frankfort, Kentucky 40602  
(502) 875-2428 phone (502) 875-2845 fax  
e-mail fitzKRC@aol.com



September 11, 2002

Thomas Dorman, Executive Director  
Kentucky State Board on Electric Generation  
and Transmission Siting  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, Kentucky 40602

By fax only

Angela Curry, Esq.  
Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40601

By fax only

Re: Rehearing of Order  
Case No. 2002-00149

Dear Mr. Dorman and Ms. Curry:

This letter is written to inquire as to whether there is available any further administrative review, by petition for rehearing, petition for clarification, or otherwise, of the September 5, 2002 determination of the Kentucky State Board on Electric Generation and Transmission Siting. If such administrative remedies are available, I would appreciate your designation of those remedies.

Absent further available administrative remedies, I have been authorized to seek judicial review in the appropriate Circuit Court of the September 5, 2002 determination with respect to the failure to adequately address the use of KY 1087 in the event that the Talcum road over the Smith property is unavailable due to lack of right-of-entry; and the failure to provide proper notice, to require submittal of information concerning, and failure to consider the construction-related impacts of the transmission lines that are to be constructed to service the proposed plant and to connect it to the existing grid.

Please respond at your earliest convenience as to the availability of further administrative review, since the time for judicial review is limited under law to thirty (30) days from the date of the Board's Order.

Cordially,

A handwritten signature in black ink, appearing to read 'Tom Fitzgerald', with a long horizontal flourish extending to the right.

Tom Fitzgerald  
Counsel for Pauline Stacy

cc: Peter Brown, Esq., by fax only