

Ernie Fletcher
Governor



LaJuana S. Wilcher
Secretary

Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Kentucky State Board on Electric Generation and Transmission Siting
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460

June 21, 2004

Mr. Fred Jones
Westlake Energy Corporation
2801 Post Oak Blvd.
Houston TX 77056

Dear Mr. Jones:

On May 15, 2002, the Kentucky State Board on Electric Generation and Transmission Siting received a Notice of Intent filed by you on behalf of Westlake Energy Corporation. That notice was filed pursuant to 807 KAR 5:110, Section 2, and indicated Westlake's intent to construct a 520 MW combined cycle natural gas-fired power plant in Marshall County, Kentucky, in Calvert City.

Since May 31, 2002, when an amended notice of intent was filed, the Siting Board has received no other filings related to this matter. Because this case has been pending for almost two years with no further activity other than that described above, we require that you inform us as to your future intentions. Please respond to this letter no later than June 30, 2004, stating whether you will be filing an application and, if so, by what date. If we have not received your response within this timeframe, the Board will terminate this docket for failure to prosecute. This action will be without prejudice so that Westlake Energy Corporation may file a new Notice of Intent when you are closer to actually filing an application.

If you have any questions pertaining to this action or need information regarding future filings, please contact A.W. Turner, Jr., Counsel to the Siting Board, at (502) 564-3940, Extension 256.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell", written over a circular stamp or seal.

Beth O'Donnell
Executive Director

cc: Mark David Goss
Ellen Williams
Martin Huelsmann
Jason Bentley
A.W. Turner, Jr.
Docket Branch