

COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of

THE APPLICATION OF ESTILL)	
COUNTY ENERGY PARTNERS, LLC,)	
FOR A CERTIFICATE TO)	CASE NO. 2002-00172
CONSTRUCT)	
A COAL COMBUSTION/ELECTRIC)	
GENERATING FACILITY)	

MOTION TO DELAY FILING OF SUPPLEMENTAL
SITE ASSESSMENT REPORT AND PAYMENT OF SUPPLEMENTAL FEE

Estill County Energy Partners, LLC (“ECEP”), the applicant in the above-captioned proceeding, by and through counsel, hereby moves the Board for an order authorizing ECEP to delay the filing of its supplemental site assessment report and payment of the supplemental application fee. In support of this motion, ECEP states as follows:

In its order of July 12, 2005, the Board noted that “[t]he Board’s initial decision requires a later filing on the property title issue and authorizes another hearing.” The Order assessed an additional application fee of \$30,000 because of the Board Staff’s estimate of probable expenses of further hearings on the ECEP supplemental site assessment report. The Order required the additional fee to be paid on or before June 15, 2007. Subsequent to the Board’s initial decision, ECEP has engaged in extended negotiations to resolve its title issues and counsel believes that resolution of those issues in the near future is probable. In addition, ECEP has been in extended discussions regarding necessary addition financing for the project. Those discussions are also near a favorable resolution.

In light of these developments, ECEP respectfully requests that the Board's July 12, 2005 Order be amended and that ECEP be given an extension of time, to September 15, 2007, to file its supplemental site assessment report and pay the supplemental application fee.

Dated this 13th day of June, 2007.

Respectfully submitted,



D. Duane Cook
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Georgetown, Kentucky 40324
(502) 570-0022

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing was sent by United States First Class Mail, postage prepaid, on June 13, 2007, to the following:

Darrell D. Brock, Jr.
Commissioner/Assistant to Governor
Office of Local Government
1024 Capital Center Drive, Suite 340
Frankfort, KY 40601

John St. Claire
Citizens Guaranty Bank
Riverdrive
Irvine, KY 40336

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

Danny P. Woods
Brighton A&E
201 Brighton Park Boulevard
Frankfort, KY 40601

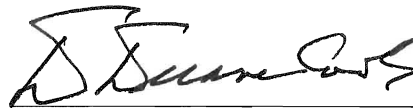
Judge Wallace Taylor
Estill County Judge Executive
130 Main Street, Room 101
Irvine, KY 40336

Wayne F. Collier
Kinkead & Stilz, PLLC
National City Plaza
301 East Main Street, Suite 800
Lexington, KY 40507-1520

Honorable LaJuana S. Wilcher
Secretary
Environmental and Public Protection
KY Division of Energy
Capital Plaza Tower, Fifth Floor
Frankfort, KY 40601

Will Herrick
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Campton, KY 41301-9509

Thomas J. Fitzgerald
Kentucky Resources Council, Inc.
P.O. Box 1070
Frankfort, KY 40602

A handwritten signature in black ink, appearing to read "D. Duane Cook". The signature is written in a cursive style with a large initial "D".

D. Duane Cook