

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of

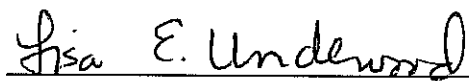
THE APPLICATION OF ESTILL)
COUNTY ENERGY PARTNERS, LLC,)
FOR A CERTIFICATE TO CONSTRUCT) CASE NO. 2002-00172
A COAL COMBUSTION/ELECTRIC)
GENERATING FACILITY)

PROOF OF NOTICE

Pursuant to Section 9 of KAR 5:110, applicant, Estill County Energy Partners, LLC ("ECEP"), submits this notice as proof to the Kentucky State Board on Electrical Generation and Transmission Siting (the "Board") that it has given notice of the evidentiary hearing to be held on August 24, 2004 in this matter by publication in a newspaper of general circulation in the county in which the ECEP plant is proposed to be located. Public notice of the public hearing appeared in the Citizens Voice and Times on August 12, 2004. A newspaper copy of the public notice and the original Newspaper Advertisement Affidavit are attached.

Pursuant to 807 KAR 5:110 Section 9 and the attached certificate of service, a copy of this notice with attachments is being served on each party to this proceeding.

Respectfully submitted,



Lisa E. Underwood

Law Offices of Lisa E. Underwood, PLC
314 Holiday Road
Lexington, KY 40502
TEL: 859-269-5487
FAX: 859-269-1988
E-Mail: lisa@lunderwoodlaw.com

COUNSEL FOR ESTILL COUNTY ENERGY PARTNERS, LLC

NEWSPAPER ADVERTISEMENT AFFIDAVIT

I, Tracy King (Name, typed or printed), Ad Rep (Title, typed or printed) of the

Citizens Voice and Times published at Irvine in Estill County, Kentucky, hereby affirm that Public Notice regarding an evidentiary hearing to be held regarding the Siting Application for Estill County Energy Partners, LLC pursuant to KAR 8:5110 Section 9 was published as a Legal Notice in this newspaper on the date, page and column as noted below. The full page of the newspaper displaying the Notice is attached.

DATE
8-12-04

PAGE
B-5

COLUMNS
2x 3/2

Signature Tracy King Date 8/17/04

Name Tracy King (Typed or printed) Title Ad Rep (Typed or printed)

Subscribed and sworn to before me by Tracy King this the 17 day of August, 2004.

NOTARY PUBLIC: Lisa Baber

MY COMMISSION EXPIRES: 10/24/04

Citizen Voice & Times

Thursday, August 12, 2004 **B•5**

**Legal Public Notice
Evidentiary Hearing
Regarding The Siting Application of
Estill County Energy Partners, LLC.
Kentucky State Board on Electric Generation and
Transmission Siting
Case Number 2002-00172**

Notice is hereby given that the Kentucky State Board on Electric Generation and Transmission Siting will conduct an evidentiary hearing at 10 a.m. (EDT) on Tuesday, August 24, 2004 regarding the application filed by Estill County Energy Partners, LLC for a certificate to construct a merchant electric generating facility in Estill County. The evidentiary hearing will be held at the Kentucky Public Service Commission Building, 211 Sower Boulevard, Frankfort, Kentucky 40602. The hearing will be open to the public. The case number is 2002-00172. Documents filed in the case may be accessed at the Kentucky Public Service Commission web site: psc.ky.gov.

The Kentucky State Board on Electric Generation and Transmission Siting can be reached at the Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602, telephone (502) 564-3940.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was sent by United States First Class Mail, sufficient postage prepaid, to the following this the 17th day of August, 2004.

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

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

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

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

Gene Strong
Secretary
Economic Development Cabinet
2300 Capital Plaza Tower
500 Mero Street
Frankfort, KY 40601

Wayne F. Collier
Kinhead & 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
Fifth Floor
Capital Plaza Tower
Frankfort, KY 40601

Will Herrick
4859 Flat Mary Road
Campton, KY 41301-9509

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



Lisa E. Underwood