

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 A COAL) CASE NO. 2002-00172
COMBUSTION/ELECTRIC GENERATING)
FACILITY)

STAFF'S FIRST DATA REQUEST
TO ESTILL COUNTY ENERGY PARTNERS, LLC

Staff requests that Estill County Energy Partners, LLC ("ECEP") file with the Board the original and 6 copies of the following information, with a copy to all parties of record. If a requested document consists of 20 or more pages, ECEP may file 2 copies. The information requested is due no later than July 28, 2004. Each copy of the data requested should be placed in a bound volume with each item tabbed. When a number of sheets are required for an item, each sheet should be appropriately indexed, for example, Item 1(a), Sheet 2 of 6. Include with each response the name of the person who will be responsible for responding to questions relating to the information provided. Careful attention should be given to copied material to ensure that it is legible. Where information requested has been previously provided, in the format requested, reference may be made to the specific location of that information in responding to this information request.

1. Submit a map showing site property lines and the property lines of adjacent landowners. Index the letters to adjacent landowners (in Exhibit P) to properties shown on the map. This map can be derived from the maps/information maintained by the Estill County Property Valuation Administrator (“PVA”).

2. The 505 acre site is in two electric service territories: Kentucky Utilities Company (“KU”) and Jackson Energy Cooperative (“Jackson Energy”). Do the areas being supplied electricity during the construction of the plant and the electric retail supplier conform to the existing service area boundaries?

3. Who will pay for the cost of the relocation of the Jackson Energy distribution lines through the site? Provide Jackson Energy’s estimated cost to relocate the lines.

4. Does ECEP have a contract to sell the power the plant will produce? If so, provide details. If not, describe what ECEP plans to do with the output of the plant.

5. Clarify how ECEP will mitigate the sound of steam blows during operation of the facility.

6. What effect would the use of steam silencers have on noise levels?

7. In the application, you have stated two homes are located on the project site. However, these homes are not listed as residential areas on the Land Use Map, Appendix C. Describe the intended use(s) of the two homes in conjunction with the proposed merchant power plant.

8. Are any of the residences in the vicinity of Coal Wash Road, KY 89, and Stump Road in a residential neighborhood as defined in KRS 278.700(6)? If not,

explain why not. If so, amend Appendix C to show approximate neighborhood limits in this area and the previously identified residential neighborhood and add to the map.

9. Provide a map showing areas of the project site where coal will be obtained.

10. Amend Appendix B to show deed descriptions and acreage for each parcel shown.

11. Provide deeds for each parcel shown.

12. Provide a description of the relationship between Fox Trot Properties, LLC and ECEP. Include any agreement ECEP has reached with Fox Trot Properties, LLC to operate the proposed facility on the site.

13. Correct labeling of perimeter fencing on Appendix G.

14. Will perimeter fencing be placed along the existing concrete retaining wall? If not, will any security measures be taken at this location?

15. What security measures will be utilized at the secondary entrance located on the north side of the facility?

16. What security measures will be utilized at the railroad sidetracks?

17. Is the proposed culvert that will be placed in the existing ditch of sufficient size that a person will be able to travel through it? If so, what security precautions will be taken?

18. What are the security measures taken for areas located outside the facility and within the site boundary?

19. It appears on the Facility Site Layout, Appendix G, that a (existing or proposed) road is approximately 60 feet west of the west sidetrack. This road shows a

perimeter fencing through the road. Confirm if this road is being removed. If not, describe the security measures taken at this entrance to the plant facility.

20. Provide a map showing the existing buildings and infrastructure to remain and to be removed.

21. Confirm if the upgrade of the existing 69kV electric line from the KU West Irvin Substation to 161kV is regulated by the Public Service Commission.

22. Describe any agreement reached with the Kentucky Department of Highways, if any, with regard to the right-of-way acquisition for the proposed access road from KY 499 to Coal Wash Road.

23. What type of roads will the internal roads shown on Appendix G, Facility Site Layout, be? Will all roads be paved or unpaved? If mixed type, clarify on Appendix G, the limits of each type of road.

24. Describe the proposed roadway improvements to Coal Wash Road, if any. Does the existing pavement terminate at the end of the right-of-way? Do the proposed improvements include any work on existing Coal Wash Road? Does Foxtrot properties intend to dedicate land for a Coal Wash Road extension?

25. Provide copies of agreements with CSX Railroad for crossings including appropriate safety measures required.

26. The Jackson Energy line will be relocated as shown, on Appendix G, Facility Site Layout. Is Jackson Energy relocating the line? What is the proposed location of the relocated line? Will Foxtrot Properties grant easements for the relocated line?

27. Will the water line from the facility to the existing water line from Coal Wash Road require a Division of Water permit? If so, amend Appendix F, Estill County Energy Partners, LLC Environmental Permitting Requirements.

28. Which utility company will be providing telephone service to the facility?

29. Amend Appendix E, Viewshed Cross Section Location Map (1 of 2) to include one additional viewpoint.

30. From center of KY 499 bridge crossing over the Kentucky River to the proposed facility.

31. Provide a map in 8.5" x 11" format. Contours may be deleted if mapping becomes illegible.

32. Amend Appendix E, Viewshed Cross-Sections (2of 2) for the following items.

33. Show the approximate location of the property line on each profile.

a. Revise the line of sight from the point of observation to the point of visual obstruction to determine how much of the facility will be seen.

b. Show proposed building height in addition to the stack height already shown.

c. Provide each cross section in 8.5" x 11" format. Revise horizontal scale as required to fit onto page.

34. Will any mitigation be provided for "steam blows"?

35. Provide traffic volume/traffic classification data obtained from the Kentucky Transportation Cabinet on Coal Wash Road, KY 89, KY 499, and KY 52.

36. Provide the analysis of the existing capacity and level of service on Coal Wash Road, KY 89, KY 499, and KY 52.

37. Provide traffic volume/traffic classification data generated from construction of the proposed power plant.

38. Provide total traffic volume/traffic classification data during the construction of the proposed power plant.

39. State the estimated begin and end dates of construction for the power plant.

40. State the estimated begin and end dates of construction for the proposed access road.

41. Identify temporary access roads, if any, and any agreements during construction that would be utilized to access the project site.

42. Provide the analysis of the capacity and level of service on Proposed Access Road, Coal Wash Road, KY 89, KY 499, and KY 52 during construction.

43. Provide the anticipated truck route for the following materials:

- a. Coal (Assuming Truck Transport)
- b. Lime
- c. Limestone

44. Provide maximum weight capacity of the truck and weight of typical trucks to be utilized (i.e., tandem and/or tractor trailers for transporting coal, lime, or limestone).

45. Provide weight restrictions on the existing road network.

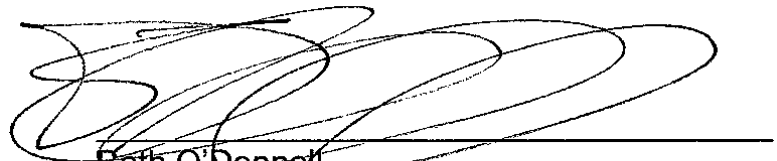
46. Provide the truck trip calculations from annual usage requirements for plant operation to daily requirements to existing number of trucks.

47. Provide traffic volume/traffic classification data generated from operation of the proposed power plant.

48. Provide total traffic volume/traffic classification data during the operation of the proposed power plant.

49. Provide the analysis of the capacity and level of service on Proposed Access Road, Coal Wash Road, KY 89, KY 499, and KY 52 during construction.

50. Identify the safety issues, on the existing roads, that might arise as a result of the construction activity as well as coal/limestone/lime truck hauling activity. Discuss proposed measures to mitigate these concerns.



Beth O'Donnell
Executive Director
Public Service Commission
on behalf of The Kentucky State Board on
Electric Generation and Transmission Siting
P. O. Box 615
Frankfort, KY 40602

DATED: July 9, 2004

cc: Parties of Record