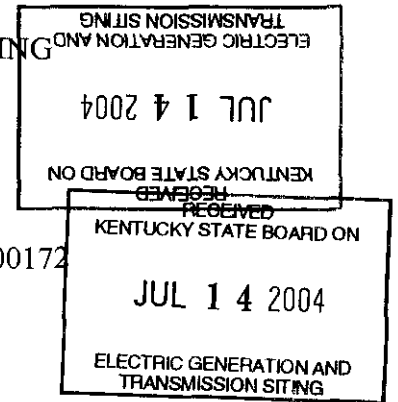


COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING

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)



**MOTION OF WILL HERRICK
FOR FULL INTERVENTION**

Comes Will Herrick, (hereinafter "Herrick") pro se, and moves pursuant to KRS 278.712(4) to intervene in this above-captioned proceeding as a full party, with all rights and privileges of a full intervenor. In support thereof, Herrick states as follows:

1. Will Herrick is a resident of Campton, Wolfe County, Kentucky, whose address is 4859 Flat Mary Road, Campton, Kentucky 41301-9509. He is a computer systems designer and computer support specialist with public sector, business and government clients across the eastern Kentucky region and nationwide. Herrick lives and works at that same address.

2. The water supply for domestic and other beneficial uses for the Herrick residence and business comes from a pond located on the property.

3. To the extent that air emissions of criteria or toxic air pollutants from the proposed Estill County Energy Partners plant will contribute additional particulate, NOx, VOC or hazardous air pollutants into the Wolfe County airshed, the property, health and economic interests of Herrick may be adversely affected.

4. Additionally, Herrick has visited and intends within the next year to revisit the Great Smoky Mountains National Park.

5. To the extent that the emissions from the proposed plant will affect visibility or air quality in the park, Herrick's interests in enjoyment of that natural resource will be adversely affected.

6. These above-mentioned interests entitle Herrick to intervenor status as a person who is, within the meaning of KRS 278.712, an "interested person" and within the meaning of 807 KAR 6:110, a person possessing a "special interest"; one that is not otherwise adequately represented by other intervenors or the applicant. Herrick's interests are not synonymous with those of the agency nor necessarily those of the applicant. Herrick does not take a position in support or opposition to the proposed power plant, but has a number of questions and concerns regarding the potential impact of the air emissions from the proposed power plant on the economy of the region, and on his use and enjoyment of his water resource on his property.

7. This motion to intervene is timely. KRS 278.712 provides that any "interested person" may, upon motion to the Board, be granted leave to intervene. While the statute sets no time limit for intervention, the Board has adopted a regulation at 807 KAR 6:110 requiring that applications for intervention be filed within thirty (30) days of submittal of an application. The thirty (30) day limit on intervention in 807 KAR 6:110 Section 4

is satisfied, since the Procedural Schedule adopted by the Board in this case identifies today, July 14, as the last day of a motion to intervene.

WHEREFORE, Movant Will Herrick requests that he be accorded the status of full Intervenor in this proceeding.

Respectfully submitted,

Will Herrick
Will Herrick, pro se

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was served upon the individuals listed on the service list for Case No. 2002-00172 this 14th day of July 2004.

Will Herrick

Will Herrick