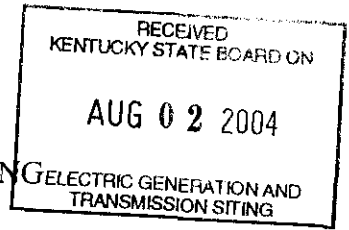


COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING



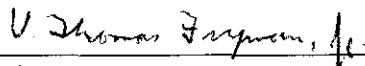
In the Matter of:

ESTILL COUNTY ENERGY PARTNERS, LLC,)
FOR A CERTIFICATE OF CONVENIENCE AND)
NECESSITY TO CONSTRUCT A COAL) CASE NO. 2002-00172
COMBUSTION FACILITY IN ESTILL COUNTY,)
KENTUCKY)

NOTICE WITH RESPECT TO SERVICE LIST

The undersigned hereby advise the Board and the parties to this proceeding that: (1) Fox Trot Properties, LLC has not sought to intervene, and is not a party, in this proceeding; and (2) the undersigned have not entered an appearance and do not represent any party in this proceeding. Accordingly, the undersigned should be removed from the service list in this proceeding.

Respectfully submitted,



V. Thomas Fryman
Michael L. Ades
Greenebaum Doll & McDonald PLLC
300 West Vine Street, Suite 1100
Lexington, KY 40507
Telephone: (859) 231-8500
Fax: (859) 255-2742

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served via first class mail, postage prepaid, on this the 21 day of August, 2004 on the following:

Lisa E. Underwood
Lisa E. Underwood PLC
314 Holiday Road
Lexington, KY 40502
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Commissioner/Assistant to Governor
Office of Local Government
1024 Capital Center Drive, Suite 340
Frankfort, KY 40601

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

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

Hon. LaJuana S. Wilcher, Secretary
Ky. Environmental and Public Protection
Department for Natural Resources
Division of Energy
500 Mero Street, Fifth Floor
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Wayne F. Collier
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Counsel for DLX and the Trust

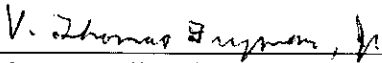
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