



GLOBAL ENERGY

October 26, 2006

Ms. Beth O'Donnell, Executive Director
Kentucky Public Service Commission
P.O. Box 615
Frankfort, KY 40602-0615

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COMMISSION

Dear Director O'Donnell:

I am requesting the refund of the remaining portion of the Siting Board deposit for Kentucky Pioneer Energy Case #2002-00312. Deputy Director Amato suggested that I make this request in light of the following information:

- Case #2002-00312 is listed as a Closed Case on the Siting Board's website;
- Approval of the Power Purchase Agreement between Kentucky Pioneer Energy and its prospective customer, East Kentucky Power Cooperative, was withdrawn by the PSC on October 18, 2004 (Case Nos. 2000-00079 and 2003-00030);
- The air permit issued by the Kentucky Division of Air Quality for the prospective facility has expired;
- Documents are being processed by attorneys at Greenebaum for an Agreed Order to dismiss without prejudice the appeal of the Siting Board's decision which was filed in Clark Circuit Court. Mr. Tom FitzGerald, as counsel for the appellant, has agreed with this course of action.

The case is finished, and for all intents and purposes, any appeal of this case has been terminated. We would respectfully request that the refund be processed as soon as possible, rather than waiting on paperwork that could take a long amount of time due to the low priority this matter probably has on the court docket. The refund should be sent to:

Mr. Harry Graves
Global Energy Inc.
312 Walnut St., Suite 2650
Cincinnati, OH 45202

Thank you for your prompt attention to this matter.

Sincerely,

Mike Musulin, II
President, Kentucky Pioneer Energy

cc: Stan Cave