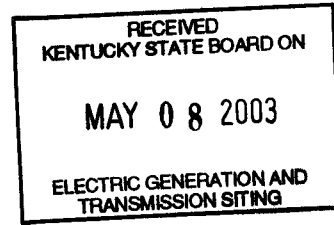




May 7, 2003

Thomas M. Dorman
Executive Director
Kentucky State Board on Electric
Generation and Transmission Siting
211 Sower Boulevard
Frankfort, KY 40601



**RE: The Application of Kentucky Pioneer Energy, LLC For a Construction Certificate to Construct a Merchant Generating Facility
Case No. 2002-00312**

Dear Mr. Dorman:

In accordance with the Board's Order of April 16, 2003, Kentucky Pioneer Energy has carefully examined the Order and does affirm and assert that it is in compliance with the requirements of KRS 278.710(1)(e) and therefore requests a hearing to present evidence to that effect and to seek the Board's affirmative action to approve the Certificate.

Kentucky Pioneer Energy's compliance with Planning and Zoning requirements will be reaffirmed in formal testimony. The Siting Board legislation call for projects to meet local planning and zoning requirements and the Kentucky Pioneer Energy Project will do so.

The Kentucky Pioneer Application for a Construction Certificate dated November 25, 2002, stated that it does and will meet the requirements in place at that time. This position was reiterated in the Final Environmental Impact Statement by the U.S. Department of Energy dated November 2002 and the Siting Board's Consultant's Report.

In closing, Kentucky Pioneer Energy, reaffirms its formal testimony that we accept the recommendations set forth in the Site Assessment Report prepared by Jason Associates Corporation dated January 28, 2003, and will incorporate any recommendations deemed appropriate by the Board.

We look forward to meeting with the Board at its earliest convenience and in advance of the May 15, 2003 Appeal deadline.

Sincerely,

HH Graves
President & CEO



Dwight N. Lockwood, P.E., QEP
Vice President
Regulatory Affairs

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