

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CLARK ENERGY	)	
COOPERATIVE, INC. FOR ROUTINE	)	CASE NO.
REVISION OF EXISTING CATV POLE	)	2004-00442
ATTACHMENT TARIFF	)	
	)	

PETITION FOR THE PUBLIC SERVICE COMMISSION  
TO RECONSIDER THE DENIAL OF CLARK ENERGY'S  
REQUEST TO DEVIATE FROM SECTION 10 (6) (n) OF  
ADMINISTRATIVE REGULATION 807KAR5:001

Comes Clark Energy Corporation (Clark Energy) and respectfully request the Commission to reconsider it's denial of Clark Energy's request for permission to deviate from Section 10 (6) (n) of Administrative Regulation 807 KAR 5:001. In support of this petition Clark Energy states as follows:

1. The purpose of this application was to increase CATV attachment rates to produce anticipated increased revenues of approximately \$7,263.00.
2. Clark Energy could not complete a depreciation study within the time frame dictated by the Commission's Order of December 21, 2004.
3. The Commission, in Administrative Case No. 251 in 1982 held that regulated utilities may revise their CATV pole attachment rates without the requirements of preparing a full rate case.
4. In Clark Energy's last case (2000-529) Clark Energy requested and received an increase in it's CATV attachment rates without a depreciation study.

5. Clark Energy anticipates that the costs of a depreciation study in this application would greatly exceed the anticipated increase in revenues to Clark Energy.

6. Clark Energy has no current plans for a general rate increase (Clark Energy's last general rate increase was in Case No. 92-219) but whenever it does file for a general rate increase Clark Energy will include a complete depreciation study.

7. Clark Energy's members would be adversely affected by requiring a depreciation study in this case because the cost would greatly exceed the anticipated revenues from the CATV increase.

Respectfully submitted this 30<sup>th</sup> day of December, 2004.

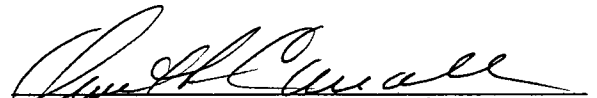
COMMONWEALTH OF KENTUCKY

COUNTY OF CLARK, SCT

Overt L. Carroll, after first being duly sworn, deposes and says: That he is the President and Chief Executive Officer of Clark Energy Cooperative, Inc., a rural electric cooperative corporation, duly organized and doing business under the Rural Electric Cooperative Corporation Act of the Commonwealth of Kentucky: That he has read the foregoing Petition and knows the contents thereof: That the same is true of his own knowledge except as to such matters as are therein stated on information or belief, and as to those matters he believes it to be true.

This 30<sup>th</sup> day of December, 2004.

CLARK ENERGY COOPERATIVE, INC.

  
Overt L. Carroll, President and  
C.E.O.

Subscribed and sworn to before by Overt L. Carroll, this 30<sup>th</sup> day of December, 2004.

  
Notary Public, State at Large

My Commission expires: Aug 7, 2006