

**Kelley W. Leach**  
**285 Howard Leach Road**  
**Bedford, KY 40006**

June 2, 2005

Beth O'Donnell  
Executive Director  
Public Service Commission  
211 Sower Blvd  
P.O. Box 615  
Frankfort, KY 40602

RECEIVED

JUN 10 2005

PUBLIC SERVICE  
COMMISSION

RE: Docket Number 2005-00152  
LG&E / KU Expansion Trimble Unit #2

Dear Ms. O'Donnell:

Per KRS 278.706 Application for certificate to construct merchant electric generating facility – Fees – Replacement or repair does not constitute construction. Item 2:C-1 states that “Landowners whose property borders the proposed site” shall be given notice. If I am correct, Appendix A (page 74 thru 78) of the Site Assessment Report from Black & Veatch submitted pursuant to KRS 278 dated November 2004 is a legal boundary of the property owned by LG&E Trimble County Station. I see several names that are not on the copy of the Adjacent Property Owners Trimble County Plant March 2005 from docket number 2005-00152 attachment to question No. 21 (b). I am concerned that all parties that should have been informed were not. Would you please let me know if this is the case or not? I would appreciate it.

Sincerely,



Kelley W. Leach

**278.706 Application for certificate to construct merchant electric generating facility – Fees -- Replacement or repair does not constitute construction.**

- (1) Any person seeking to obtain a construction certificate from the board to construct a merchant electric generating facility shall file an application at the office of the Public Service Commission.
- (2) A completed application shall include the following:
  - (a) The name, address, and telephone number of the person proposing to construct and own the merchant electric generating facility;
  - (b) A full description of the proposed site, including a map showing the distance of the proposed site from residential neighborhoods, the nearest residential structures, schools, and public and private parks that are located within a two (2) mile radius of the proposed facility;
  - (c) Evidence of public notice that shall include the location of the proposed site and a general description of the project, state that the proposed construction is subject to approval by the board, and provide the telephone number and address of the Public Service Commission. Public notice shall be given within thirty (30) days immediately preceding the application filing to:
    1. Landowners whose property borders the proposed site; and
    2. The general public in a newspaper of general circulation in the county or municipality in which the plant is proposed to be located;
  - (d) A statement certifying that the proposed plant will be in compliance with all local ordinances and regulations concerning noise control and with any local planning and zoning ordinances. The statement shall also disclose setback requirements established by the planning and zoning commission as provided under KRS 278.704(3);
  - (e) If the facility is not proposed to be located on site of a former coal processing plant and the facility will use on-site waste coal as a fuel source or in an area where a planning and zoning commission has established a setback requirement pursuant to KRS 278.704(3), a statement that the proposed site is at least one thousand (1,000) feet from the property boundary of any adjoining property owner and two thousand (2,000) feet from any residential neighborhood, school, hospital, or nursing home facility, unless facilities capable of generating ten megawatts (10MW) or more currently exist on the site. If the facility is proposed to be located on site of a former coal processing plant and the facility will use on-site waste coal as a fuel source, a statement that the proposed site is compatible with the setback requirements provided under KRS 278.704(5). If the facility is proposed to be located in a jurisdiction that has established setback requirements pursuant to KRS 278.704(3), a statement that the proposed site is compatible with those established setback requirements;
  - (f) A complete report of the applicant's public involvement program activities undertaken prior to the filing of the application, including any use of media coverage, direct mailing, fliers, newsletters, public meetings, establishment of a

**Adjacent Property Owners**  
**Trimble County Plant**  
**March 2005**

<b><u>Tract Numbers</u></b>	<b><u>Name &amp; Address</u></b>
1. Gary Callis	1970 Ogden Ridge Road Bedford, KY. 40006
2. Jarrod & Jill Mahoney	1886 Ogden Ridge Road Bedford, KY. 40006
3. Steve Boldery	1848 Ogden Ridge Road Bedford, KY. 40006
4. George McDole	1742 Ogden Ridge Road Bedford, KY. 40006
5. Anna Leach	251 Howard Leach Road Bedford, KY. 40006
6. Kelly Leach	285 Howard Leach Road Bedford, KY. 40006
7. James Atkinson	4570 Barebone Road Bedford, KY. 40006
8. James Logan	1662 Conner Ridge Road Bedford, KY. 40006
9. Lorne Logan	1394 Conner Ridge Road Bedford, KY. 40006
10. Sherley Sweezy	1004 Conner Ridge Road Bedford, KY. 40006
11. King & Dace Stubbs	P.O BOX 91206 Louisville, KY. 402961-0206
12. Gayle Mahoney	27 Watson Landing Road Bedford, KY. 40006
13. Jerry Mahoney	70 Watson Landing Road Bedford, KY. 40006
Below Tract 1 is: Leslie Ball No Home - Land Only	84 Fairview Circle Drive Bedford, KY. 40006

## Appendix A

### LEGAL BOUNDARIES FOR LG&E - TRIMBLE COUNTY STATION

BEING a tract of land lying along the waters of the Ohio River between Conners Ridge Road and Kentucky Highway 754 in Trimble County, Kentucky and being more particularly described as follows:

BEGINNING at the intersection of the south line of the tract conveyed to James E. and Joann Logan by deed of record in Deed Book 76, Page 746 in the office of the Clerk of Trimble County, Kentucky, with the east line of Highway 1838;

THENCE with said south line North 60 degrees 28 minutes 40 seconds East for a distance of 3520.23 feet to its intersection with the east line of same;

THENCE with said east line North 20 degrees 14 minutes 01 seconds West for a distance of 634.99 feet to its intersection with the south line of Conners Ridge Road;

THENCE with said south line North 59 degrees 37 minutes 01 seconds East for a distance of 24.41 feet, with a curve to the right having a radius of 2737.25 feet, the chord of which measures North 60 degrees 39 minutes 21 seconds East for a distance of 99.26 feet, North 61 degrees 41 minutes 41 seconds East for a distance of 256.09 feet, with a curve to the right having a radius of 7092.11 feet, the chord of which measures North 62 degrees 30 minutes 01 seconds East for a distance of 199.42 feet, North 63 degrees 18 minutes 21 seconds East for a distance of 183.24 feet, with a curve to the left having a radius of 2846.30 feet, the chord of which measures North 61 degrees 16 minutes 46 seconds East for a distance of 201.29, North 59 degrees 15 minutes 11 seconds East for a distance of 526.51 feet, with a curve to the right having a radius of 266.67 feet, the chord of which measures North 75 degrees 46 minutes 06 seconds East for a distance of 151.62 feet, South 87 degrees 42 minutes 59 seconds East for a distance of 88.49 feet, with a curve to the left having a radius of 210.30, the chord of which measures North 70 degrees 46 minutes 26 seconds East for a distance of 154.22 feet, North 49 degrees 15 minutes 51 seconds East for a distance of 94.64 feet, with a curve to the right having a radius of 217.97 feet, the chord of which measures North 66 degrees 45 minutes 26 seconds East for a distance of 131.04 feet, and North 84 degrees 15 minutes 01 seconds East for a distance of 188.25 feet to a point in same;

THENCE leaving said south line South 66 degrees 55 minutes 46 seconds West for a distance of 147.12 feet, South 50 degrees 48 minutes 19 seconds West for a distance of 65.15 feet, South 11 degrees 59 minutes 17 seconds West for a distance of 144.58 feet, South 48 degrees 54 minutes 33 seconds West for a distance of 71.27 feet to its intersection with the line common with the tract conveyed to Shirley and Mavlise Sweazy by deed of record in Deed Book 96, Page 761 in the office aforesaid;

THENCE with lines common to same South 65 degrees 30 minutes 14 seconds West for a distance of 140.41 feet, South 24 degrees 05 minutes 24 seconds East for a distance of 129.50 feet, and North 67 degrees 12 minutes 36 seconds East for a distance of 100.82 feet to a corner common to same;

THENCE leaving said Sweazy tract South 24 degrees 35 minutes 06 seconds East for a distance of 420.41 feet, North 77 degrees 41 minutes 56 seconds East for a distance of 1667.80 feet, and North 10 degrees 47 minutes 37 seconds West for a distance of 530.68 feet to its intersection with the south line of Conners Ridge Road;

THENCE with said south line North 86 degrees 22 minutes 00 seconds East for a distance of 181.14 feet, with a curve to the left having a radius of 160.88, the chord of which measures North 51 degrees 36 minutes 54 seconds East for a distance of 183.40 feet to its intersection with the line common to the tract conveyed to Dace Brown Farrer by deed of record in Deed Book 78, Page 346 in the office aforesaid;

THENCE with lines common to said Farrer tract, South 05 degrees 35 minutes 04 seconds East for a distance of 572.17 feet, North 86 degrees 29 minutes 01 seconds East for a distance of 641.73 feet, North 02 degrees 34 minutes 19 seconds West for a distance of 588.39 feet, South 88 degrees 12 minutes 24 seconds East for a distance of 573.63 feet, North 04 degrees 32 minutes 58 seconds East crossing the south line of Conners Ridge Road at a distance of 244.51 and the north line at 284.62 feet, in all 1037.75 feet to its intersection with the south line of the tract conveyed to Dace B. Stubbs by deed of record in Deed Book 88, Page 21 in the office aforesaid;

THENCE with the south line of said Stubbs tract South 89 degrees 06 minutes 56 seconds East for a distance of 1324.75 feet to its intersection with the north line of Conners Ridge Road;

THENCE crossing said road South 00 degrees 08 minutes 04 seconds West for a distance of 40.08 feet to a point in the south line of said Conners Ridge Road;

THENCE with said south line of Conners Ridge Road South 89 degrees 51 minutes 32 seconds East for a distance of 885.98 feet to its intersection with the west line of Kentucky Highway 625;

THENCE with said west line South 34 degrees 34 minutes 49 seconds East for a distance of 534.20 feet, and with a curve to the right having a radius of 3310.97 feet, the chord of which measures South 31 degrees 22 minutes 17 seconds East for a distance of 370.65 feet, and continuing with said west line South 28 degrees 09 minutes 46 seconds East for a distance of 42.40 feet to its intersection with a line common to the tract conveyed to Russell and Agnes Tingle by deed of record in Deed Book 294, Page 44 in the office aforesaid;

THENCE with lines common to said Tingle tract South 64 degrees 08 minutes 13 seconds West for a distance of 402.38 feet, South 16 degrees 16 minutes 28 seconds West for a distance of 193.18 feet, and South 13 degrees 32 minutes 46 seconds East for a distance of 178.50 feet to its intersection with a line common to the tract conveyed to Jon A. and Andrea B. Dunlap by deed of record in Deed Book 72, Page 634 in the office aforesaid;

THENCE with lines common to said Dunlap tract South 83 degrees 17 minutes 11 seconds West for a distance of 48.58 feet, and South 07 degrees 08 minutes 47 seconds East for a distance of 459.63 feet to its intersection with a line common to the tract conveyed to Jon A. and Andrea B. Dunlap by deed of record in Deed Book 62, Page 602 in the office aforesaid;

THENCE with lines common to said Dunlap tract South 75 degrees 26 minutes 35 seconds West for a distance of 300.40 feet, and South 07 degrees 08 minutes 46 seconds East for a distance of 113.57 feet to its intersection with the north line of Wentworth Ridge Road;

THENCE with said north line South 75 degrees 26 minutes 35 seconds West for a distance of 869.56 feet to its intersection with the west line and same, if extended of the tract conveyed to Brenda S. and Donald Stansbury by deed of record in Deed Book 91, Page 101 in the office aforesaid;

THENCE with said west line and the south line of said Stansbury tract South 08 degrees 51 minutes 16 seconds East for a distance of 821.12 feet, North 89 degrees 49 minutes 34 seconds East for a distance of 540.28, and North 84 degrees 57 minutes 50 seconds East for a distance of 552.41 feet to its intersection with the west line of Ogden Ridge Road;

THENCE with said west line South 06 degrees 17 minutes 44 seconds East for a distance of 380.57 feet, North 83 degrees 42 minutes 16 seconds East for a distance of 15.00 feet, South 06 degrees 17 minutes 44 seconds East for a distance of 255.00 feet, South 82 degrees 33 minutes 11 seconds West for a distance of 30.01 feet, South 08 degrees 35 minutes 54 seconds East for a distance of 255.00 feet, North 81 degrees 24 minutes 06 seconds East for a distance of 15.00 feet, South 08 degrees 35 minutes 54 seconds East for a distance of 111.00 feet, and South 07 degrees 40 minutes 44 seconds East for a distance of 749.30 feet to a point in same;

THENCE leaving said west line and crossing said road South 11 degrees 14 minutes 43 seconds East for a distance of 235.41 feet to a point in the south line of Ogden Ridge Road;

THENCE leaving said south line and with the west line of the tract conveyed to Shannon Tingle by deed of record in Deed Book 103, Page 178 in the office aforesaid, South 06 degrees 40 minutes 43 seconds East for a distance of 281.29 feet to a point in the west line of the tract conveyed to Steven L. and Laura Harp by deed of record in Deed Book 78, Page 646 in the office aforesaid;

THENCE with said west line and the west line of the tract conveyed to Kenneth Dale Bowling by deed of record in Deed Book 72, Page 416 in the office aforesaid, South 06 degrees 56 minutes 43 seconds East for a distance of 251.58 feet and South 03 degrees 27 minutes 42 seconds East for a distance of 1800.83 feet to its intersection with the north line of the tract conveyed to John L. and Margaret Dean by deed of record in Deed Book 35, Page 147 in the office aforesaid;

THENCE with said north line South 62 degrees 27 minutes 28 seconds West for a distance of 1018.74 feet and South 63 degrees 01 minutes 43 seconds West for a distance of 767.73 feet to its intersection with the east line of the tract conveyed to Howard and Anna C. Leach by deed of record in Deed Book 37, Page 282 in the office aforesaid;

THENCE with said east line North 20 degrees 46 minutes 54 seconds West for a distance of 1854.47 feet to its intersection with the south line of Ogden Ridge Road;

THENCE with said south line South 63 degrees 04 minutes 30 seconds West for a distance of 334.47 and South 58 degrees 40 minutes 35 seconds West for a distance of 559.52 feet to point in same;

THENCE leaving said south line South 21 degrees 09 minutes 13 seconds East for a distance of 80.36 feet, South 57 degrees 50 minutes 52 seconds West for a distance of 363.26 feet, and North 30 degrees 33 minutes 26 seconds West for a distance of 125.95 feet to a point in the south line of Ogden Ridge Road;

THENCE crossing said road North 24 degrees 08 minutes 03 seconds West for a distance of 60.02 feet to a point in the north side of said Ogden Ridge Road;

THENCE with said north line South 64 degrees 05 minutes 27 seconds West for a distance of 872.44 feet to a point in same;

THENCE leaving said north line South 20 degrees 00 minutes 50 seconds East for a distance of 30.16 feet to a point in the center line of said road;

THENCE with said center line South 65 degrees 31 minutes 17 seconds West for a distance of 158.97 feet, with a curve to the left having a radius of 715.18 feet, the chord of which measures South 57 degrees 33 minutes 42 seconds West for a distance of 198.07 feet, continuing with said center line South 49 degrees 36 minutes 07 seconds West for a distance of 135.99 feet, with a curve to the right having a radius of 601.68 feet, the chord of which measures South 60 degrees 52 minutes 52 seconds West for a distance of 235.36 feet, continuing with said center line South 72 degrees 09 minutes 37 seconds West for a distance of 88.01 feet, with a curve to the left having a radius of 826.11, the chord of which measures South 66 degrees 58 minutes 22 seconds West for a distance of 149.39 feet, and continuing with said center line South 61 degrees 47 minutes 07 seconds West for a distance of 275.86 feet to a point in same;

THENCE leaving said center line North 23 degrees 42 minutes 28 seconds West for a distance of 25.080 feet to a point in the north line of said Ogden Ridge Road;

THENCE leaving said north line North 23 degrees 42 minutes 28 seconds West for a distance of 84.85 feet, South 63 degrees 43 minutes 44 seconds West for a distance of 255.75 feet, and South 20 degrees 03 minutes 30 seconds East for a distance of 107.02 feet to its intersection with the center line of Ogden Ridge Road aforesaid;

THENCE with said center line South 65 degrees 24 minutes 54 seconds West for a distance of 235.81 feet to a point in same;

THENCE leaving said center line South 24 degrees 35 minutes 06 seconds East for a distance of 25.00 feet to its intersection with a line common to the tract conveyed to Leslie K. and Cherona C. Ball by deed of record in Deed Book 71, Page 779 in the office aforesaid;

THENCE with lines common to said Ball tract South 63 degrees 03 minutes 33 seconds West for a distance of 1469.870 feet, South 16 degrees 43 minutes 38 seconds East for a distance of 329.24 feet, South 33 degrees 31 minutes 06 seconds East for a distance of 66.62 feet, South 20 degrees 25 minutes 52 seconds East for a distance of 963.27 feet, South 16 degrees 55 minutes 03 seconds East for a distance of 583.70 feet, South 16 degrees 48 minutes 16 seconds East for a distance of 580.93 feet, South 14 degrees 29 minutes 12 seconds East for a distance of 619.86 feet, and North 60 degrees 34 minutes 12 seconds East for a distance of 1417.61 feet to its intersection with a line common to the tract conveyed to Howard A. Rowlett Family Limited Partnership of record in Deed Book 96, Page 192 in the office aforesaid;

THENCE with lines common to same South 20 degrees 31 minutes 48 seconds East for a distance of 237.86 feet to its intersection with the north line of Kentucky Highway 754;

THENCE with said north line and with a curve to the left having a radius of 560.87 feet, the chord of which measures South 31 degrees 09 minutes 21 seconds West for a distance of 313.45 feet, continuing with said north line South 14 degrees 55 minutes 46 seconds West for a distance of 161.62 feet, South 75 degrees 04 minutes 14 seconds East for a distance of 10.00 feet, South 14 degrees 55 minutes 46 seconds West for a distance of 88.88 feet, with a curve to the right having a radius of 1979.96 feet, the chord of which measures South 15 degrees 04 minutes 13 seconds West for a distance of 8.98 feet, continuing with said north line North 74 degrees 47 minutes 49 seconds West for a distance of 5.00 feet, with a curve to the right having a radius of 1974.96 feet, the chord of which measures South 18 degrees 12 minutes 11 seconds West for a distance of 196.24 feet, continuing with said north line North 68 degrees 47 minutes 49 seconds West for a distance of 15.00 feet, with a curve to the right having a radius of 1989.96 feet, the chord of which measures South 25 degrees 11 minutes 59 seconds West for a distance of 259.25 feet, continuing with said north line South 29 degrees 11 minutes 46 seconds West for a distance of 383.56 feet, North 60 degrees 48 minutes 14 seconds West for a distance of 25.00 feet, South 29 degrees 11 minutes 46 seconds West for a distance of 50.00 feet, North 60 degrees 48 minutes 14 seconds West for a distance of 25.00 feet, South 29 degrees 11 minutes 46 seconds West for a distance of 100.00 feet, South 60 degrees 48 minutes 14 seconds East for a distance of 40.00 feet, South 29 degrees 11 minutes 46 seconds West for a distance of 55.18 feet, with a curve to the right having a radius of 442.53 feet, the chord of which measures South 43 degrees 07 minutes 34 seconds West for a distance of 213.23 feet, continuing with said north line South 32 degrees 56 minutes 29 seconds East for a distance of 20.00 feet, with a curve to the right having a radius of 462.53 feet the chord of which measures South 59 degrees 47 minutes 43 seconds West for a distance of 44.08 feet, and with a curve to the right having a radius of 482.91 feet, the chord of which measures South 83 degrees 13 minutes 03 seconds West for a distance of 472.47 feet, continuing with said north line North 76 degrees 04 minutes 57 seconds West for a distance of 217.37 feet, and South 13 degrees 55 minutes 03 seconds West for a distance of 10.00 feet to a point in same;

THENCE leaving said north line and crossing Kentucky Highway 1838 North 86 degrees 28 minutes 08 seconds West for a distance of 320.05 feet to a point in the north line of Kentucky Highway 754;

THENCE with said north line and with a curve to the left having a radius of 602.96 feet, the chord of which measures South 71 degrees 31 minutes 07 seconds West for a distance of 150.47 feet and continuing with said north line South 64 degrees 21 minutes 03 seconds West for a distance of 1313.18 feet to its intersection with the west line of Wise's Landing Road;

THENCE with said west line South 00 degrees 59 minutes 56 seconds West for a distance of 538.73 feet to its intersection with the north line of the tract conveyed to Gary and Julia Dunlap by deed of record in Deed Book 105, Page 77 in the office aforesaid;

THENCE with said north line South 68 degrees 52 minutes 46 seconds West for a distance of 423.34 feet to its intersection with the west line of same;

THENCE with said west line and the west line of the tract conveyed to Mario A. Caudillo by deed of record in Deed Book 97, Page 624 in the office aforesaid, South 27 degrees 56 minutes 06 seconds East for a distance of 489.22 feet to its intersection with the north line of the tract conveyed to Wayne and Mary Goode by deed of record in Deed Book 103, Page 151 in the office aforesaid;

THENCE with said north line South 67 degrees 28 minutes 24 seconds West for a distance of 436.44 feet to the low water line of the Ohio River;

THENCE with the meanders of said low water line North 27 degrees 17 minutes 39 seconds West for a distance of 1011.43 feet, North 25 degrees 16 minutes 44 seconds West for a distance of 933.99 feet, North 26 degrees 09 minutes 08 seconds West for a distance of 1701.80 feet, North 29 degrees 48 minutes 42 seconds West for a distance of 1514.81 feet, North 26 degrees 31 minutes 00 seconds West for a distance of 1240.82 feet, North 28 degrees 32 minutes 01 seconds West for a distance of 1287.93 feet, North 21 degrees 02 minutes 41 seconds West for a

distance of 1207.07 feet, North 21 degrees 39 minutes 30 seconds West for a distance of 1464.07 feet, North 60 degrees 28 minutes 40 seconds East for a distance of 70.00 feet, North 16 degrees 36 minutes 27 seconds West for a distance of 1057.26 feet, North 21 degrees 10 minutes 27 seconds West for a distance of 227.45 feet, North 02 degrees 19 minutes 32 seconds East for a distance of 205.58 feet, North 10 degrees 02 minutes 27 seconds West for a distance of 587.55 feet to its intersection with the south line of the tract conveyed to **Gayle and Vivian Mahoney** by deed of record in Deed Book 45, Page 474 in the office aforesaid;

**THENCE** with said north line North 61 degrees 02 minutes 43 seconds East for a distance of 1566.94 feet to its intersection with lines common to the tract conveyed to Gayle and Vivian Mahoney by deed of record in Deed Book 78, Page 746 in the office aforesaid;

**THENCE** with lines common to same South 10 degrees 25 minutes 52 seconds East for a distance of 608.19 feet, and North 43 degrees 06 minutes 55 seconds East for a distance of 429.57 feet to the center of Corn Creek;

**THENCE** with the meanders of Corn Creek South 14 degrees 04 minutes 56 seconds East for a distance of 267.25 feet, South 06 degrees 09 minutes 24 seconds West for a distance of 195.96 feet, South 38 degrees 19 minutes 03 seconds West for a distance of 480.21 feet, South 39 degrees 51 minutes 01 seconds West for a distance of 245.15 feet, South 18 degrees 54 minutes 00 seconds East for a distance of 182.77 feet, South 76 degrees 02 minutes 47 seconds East for a distance of 251.19 feet, and North 70 degrees 58 minutes 16 seconds East for a distance of 455.92 feet to a point in same;

**THENCE** leaving said center line South 85 degrees 01 minutes 14 seconds East for a distance of 157.87 feet and South 26 degrees 58 minutes 07 seconds East for a distance of 191.170 feet to a point in the west line of Kentucky Highway 1838;

**THENCE** with said west line South 19 degrees 10 minutes 28 seconds East for a distance of 148.92 feet and South 19 degrees 10 minutes 58 seconds East for a distance of 101.65 feet to a point in same;

**THENCE** leaving said west line and crossing Kentucky Highway 1838 North 60 degrees 28 minutes 40 seconds East for a distance of 110.17 feet to the point of beginning;

**EXCEPTING SO MUCH** as lies within Conners Ridge Road, Odgen Ridge Road and the rights of others in Corn Creek and Kentucky Highway 1838.

Said property contains 2,192 acres, more or less, excepting so much as lies within right of ways. The above description was based on partial surveys, deeds, map entitled "Property Plat" dated 4-10-90 project # 31-7296 furnished by Louisville Gas and Electric Company, and is not intended to be used for transfer of property.



