

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

In the Matter of:

APPLICATION OF ECOPOWER GENERATION,	)	
LLC FOR A CERTIFICATE TO CONSTRUCT	)	CASE NO.
AND OPERATE A MERCHANT ELECTRIC	)	2009-00530
GENERATING FACILITY AND A 69 KV	)	
TRANSMISSION LINE IN PERRY COUNTY,	)	
KENTUCKY	)	

SITING BOARD STAFF'S SECOND DATA REQUEST  
TO ECOPOWER GENERATION, LLC

Siting Board Staff requests that ecoPower Generation, LLC ("ecoPower") file with the Siting Board the original and six copies of the following information. If a requested document consists of 20 or more pages, ecoPower may file two copies. The information requested is due no later than April 5, 2010.

Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

EcoPower shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which ecoPower fails or refuses to furnish all or part of the requested information, ecoPower shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations.

1. Records from the office of the Kentucky Secretary of State indicate the following filings:

- Articles of Organization of "EcoPower Generation, LLC" filed May 18, 2009 and identified as Organization Number 0730121 and stamped "0730121.06."
- Articles of Amendment to Articles of Organization of "ecoPower Generation, LLC" filed February 24, 2010 and changing the name of the limited liability company to "ecoPower Generation – Hazard, LLC". This information is indicated as being applicable to Organization Number 0730121 and stamped "0730121.06."
- Articles of Organization of "ecoPower Generation LLC.", filed February 24, 2010 and identified by the Office of the Secretary of State as Organization Number 0757345 and stamped "0757345.06."

a. Explain in detail whether ecoPower, which filed the application in this case on February 18, 2010, has changed its identity or name to "ecoPower Generation – Hazard, LLC."

b. Explain in detail the relationship between ecoPower Generation, LLC and the Secretary of State's Organization Number 0757345; ecoPower Generation, LLC and the Secretary of State's Organization Number 0730121; and ecoPower Generation – Hazard, LLC and the Secretary of State's Organization Number 0730121.


c. Explain in detail the role ecoPower Generation – Hazard, LLC will have in the construction, licensing, and/or operation of the proposed ecoPower electric generation facility.

d. Explain in detail the role that ecoPower Generation, LLC, with Secretary of State's Organization Number 0757345, will have in the construction, licensing, and/or operation of the proposed ecoPower electric generation facility.

e. Explain in detail the role that ecoPower Generation, LLC, with Secretary of State's Organization Number 0730121, will have in the construction, licensing, and/or operation of the proposed ecoPower electric generation facility.

f. Will the environmental permits necessary for construction and operation of the electric generating facility for which the application was filed in this case be issued to ecoPower Generation, LLC, with Secretary of State's Organization Number 0757345; ecoPower Generation, LLC, with Secretary of State's Organization Number 0730121; or ecoPower Generation – Hazard, LLC, with Secretary of State's Organization Number 0730121?

g. Describe in detail whether it is necessary for ecoPower Generation, LLC to amend its application in order to accurately describe the name of the entity that is seeking a certificate from the Siting Board.

  
on behalf of  
Jeff Derouen  
Executive Director  
Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

DATED: MAR 29 2010

cc: Parties of Record