

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
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In the Matter of:

AN EXAMINATION BY THE PUBLIC SERVICE)
COMMISSION OF THE ENVIRONMENTAL)
SURCHARGE MECHANISM OF EAST)
KENTUCKY POWER COOPERATIVE, INC.)
FOR THE SIX-MONTH BILLING PERIODS)
ENDING DECEMBER 31, 2007; JUNE 30, 2008;)
AND DECEMBER 31, 2008; AND THE PASS-)
THROUGH MECHANISM FOR ITS SIXTEEN)
MEMBER DISTRIBUTION COOPERATIVES)

CASE NO.
2009-00039

PETITION TO INTERVENE OF
FLEMING-MASON ENERGY COOPERATIVE, INC.

Pursuant to KRS § 278.310 and 807 KAR 5:001 Section 3(8), Fleming-Mason Energy Cooperative, Inc., ("FME") requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

1. FME is one of the 16 member distribution cooperatives of East Kentucky Power Cooperative, Inc. ("EKPC"). The Commission in Case No. 2004-00372 approved a mechanism to pass through the environmental surcharge to EKPC's 16 member distribution cooperatives.

2. The matters being decided by the Commission in this case may have a significant impact on the mechanism to pass through the environmental surcharge to FME, its members and customers. The attorneys for FME authorized to represent them in this proceeding and to take service of all documents are:

Marvin W. Suit
Suit, McCartney, Price, Price & Ruark, PLLC
207 Court Square
Flemingsburg, KY 41041
Ph: (606) 849-2338; fax: (606) 845-8701
email: msuit@altiussbb.com

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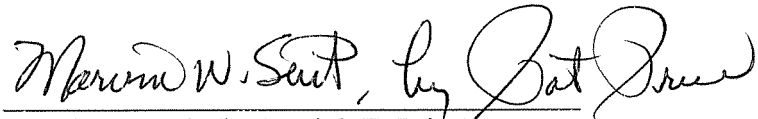
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3. The position of FME cannot be adequately represented by any existing party. FME intends to represent the interests of its members and customers in the proceeding and will take a constructive role in the Commission's decision making process herein. FME's participation will not unduly prejudice any party.

WHEREFORE, Fleming-Mason Energy Cooperative, Inc. requests that it be granted full intervenor status in the above-captioned proceeding.

Respectfully submitted,



Marvin W. Suit (by Patrick E. Price)
Suit, McCartney, Price, Price & Ruark, PLLC
207 Court Square
Flemingsburg, KY 41041
Ph: (606) 849-2338; fax: (606) 845-8701
email: msuit@altiusbb.com