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PUBLIC SERVICE  
COMMISSION

**Via Overnight Mail**

May 6, 2009

Mr. Jeff Derouen, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602

**Re: Case No. 2009-00174**

Dear Mr. Derouen:

Please find enclosed the original and twelve (12) copies each of the PETITION TO INTERVENE OF THE KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC. filed in the above-referenced matter. By copy of this letter, all parties listed on the Certificate of Service have been served.

Please place this document of file.

Very Truly Yours,



Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.  
**BOEHM, KURTZ & LOWRY**

MLKkew  
Attachment  
cc: Certificate of Service

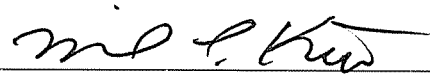
**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by first-class postage prepaid mail, (unless otherwise noted) to all parties on the 6<sup>th</sup> day of May, 2009.

Rick LoveKamp  
Kentucky Utilities Company  
220 West Main Street  
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Honorable Allyson K Sturgeon  
Attorney at Law  
E.ON U.S. Services, Inc.  
220 West Main Street  
Louisville, KY 40202



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Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

**In The Matter Of:** : **Case No. 2009-00174**  
:  
**Application Of Kentucky Utility Company For An** :  
**Order Approving The Establishment Of A** :  
**Regulatory Asset** :

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**PETITION TO INTERVENE  
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.**

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Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Kentucky Industrial Utility Customers, Inc. (“KIUC”) requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

1. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before this Commission and before all other appropriate governmental bodies. The members of KIUC who purchase electricity from Kentucky Utilities Company (“KU”) and who will participate herein are: Clopay Plastic Products Company, Dow Corning Corporation, Lexmark International, Square D Company, Toyota Motor Manufacturing, North America, Inc., and MeadWestvaco. KIUC will supplement its Petition with the names of additional participating members as this information becomes known.

2. The matters being decided by the Commission in this case may have a significant impact on the rates paid by KIUC for electricity. Electricity represents a significant cost of doing business for KIUC. The attorneys for KIUC authorized to represent them in this proceeding and to take service of all documents are:

Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.  
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[kboehm@BKLawfirm.com](mailto:kboehm@BKLawfirm.com)

3. The position of KIUC cannot be adequately represented by any existing party. KIUC intends to play a constructive role in the Commission's decision making process herein and KIUC's participation will not unduly prejudice any party.

**WHEREFORE**, KIUC requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,



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Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

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**COUNSEL FOR KENTUCKY INDUSTRIAL  
UTILITY CUSTOMERS, INC.**

May 6, 2009