

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter Of:

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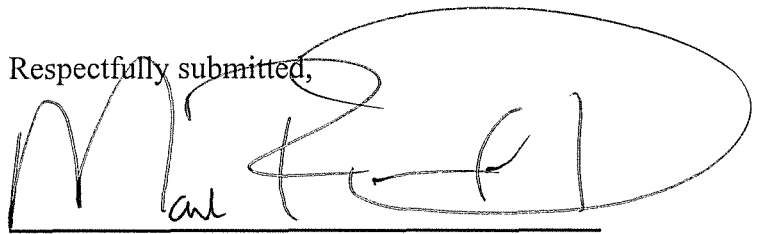
Petition And Complaint Of Kentucky Power)	JAN 26 2010
Company For A Declaration Of Its Right)	PUBLIC SERVICE
To Serve The Mountain Enterprises, Inc. Asphalt)	COMMISSION
Plant And The Proposed Mountain Materials, Inc.)	
Rock Crushers And Quarry Located In Carter)	
County, Kentucky In Lieu Of Grayson Rural)	
Electric Cooperative Corporation; Or, Alternatively,)	
For An Order Correcting The Certified Territory)	P.S.C. Case No. 2009-00485
Map Of The Area Bounded By The Intersection)	
I-64 and U.S. 60 And Nearby Vicinity In Carter)	
County, Kentucky To Include The Sites Of The)	
Proposed Mountain Enterprises, Inc. Asphalt Plant)	
And The Proposed Mountain Materials, Inc.'s)	
Rock Crushers and Quarries In Kentucky Power)	
Company's Certified Territory)	

Motion To Dismiss Complaint and Petition

Kentucky Power Company respectfully moves the Commission to dismiss without prejudice its Complaint and Petition filed herein on December 9, 2009.

Wherefore, Kentucky Power Company respectfully requests that the Commission enter an Order dismissing without prejudice its Complaint and Petition.

Respectfully submitted,



Mark R. Overstreet
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Frankfort, Kentucky 40602-0634

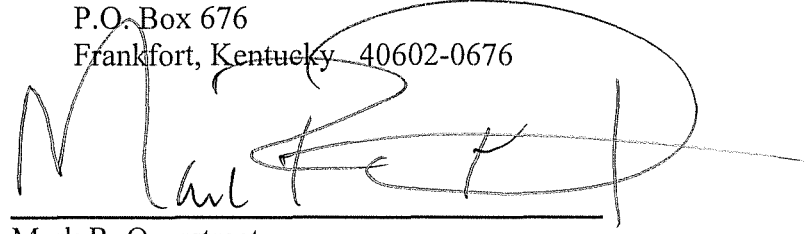
COUNSEL FOR KENTUCKY POWER
COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by first class mail, postage prepaid, upon the following parties of record, this 26th day of January, 2010.

W. Jeffrey Scott
311 West Main Street
Grayson, Kentucky 41143

Richard Raff
Kentucky Public Service Commission
P.O. Box 676
Frankfort, Kentucky 40602-0676



Mark R. Overstreet