



March 19, 2010

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

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PUBLIC SERVICE
COMMISSION

Re: PSC Case No. 2009-00506

Dear Mr. Derouen:

On February 17, 2010, East Kentucky Power Cooperative, Inc. ("EKPC") submitted responses in the above-referenced case to the Commission Staff's Information Request, dated January 27, 2010. Clarifying and updated information now requires that EKPC revise those responses previously made and, accordingly, please find enclosed for filing with the Commission an original and ten copies of EKPC's revised responses to Requests 2, 14c, and 17.

Very truly yours,

A handwritten signature in cursive script that reads 'Ann F. Wood'.

Ann F. Wood
Manager, Regulatory Services

Enclosures

EAST KENTUCKY POWER COOPERATIVE, INC

PSC CASE NO. 2009-00506
FUEL ADJUSTMENT CLAUSE
RESPONSE TO INFORMATION REQUEST

COMMISSION STAFF'S INFORMATION REQUEST DATED 01/27/10
REQUEST 2

RESPONSIBLE PARTY: Ernest W. Huff

Request 2. For the period from May 1, 2009 through October 31, 2009, list each vendor from whom natural gas was purchased for generation and the quantities and nature of each purchase (e.g., spot or contract).

Response 2. EKPC wishes to clarify its response as previously submitted. Please note that EKPC has a contract with Constellation; Constellation purchases gas on the spot market for EKPC.

Date	Quantity	Vendor	Type of Purchase
May-09	18,112	Constellation	Spot
Jun-09	115,697	Constellation	Spot
Jul-09	40,161	Constellation	Spot
Aug-09	304,673	Constellation	Spot
Sep-09	562,376	Constellation	Spot
Oct-09	242,868	Constellation	Spot

The original Complaint and Answer regarding Armstrong were previously filed at the Commission on September 10, 2009, in Case No. 2009-00286. Subsequently, an Amended Complaint and Amended Answer were filed by the parties in the lawsuit and are included on pages 4 through 29 of this response.

The Complaint and Answer to Complaint regarding Argus are included on pages 30 through 118 of this response.

c. East Kentucky filed a motion for partial summary judgment in March of 2008 in the Clark Circuit Court proceeding against Appalachian. While that motion was pending, Appalachian made an assignment for benefit of creditors on May 26, 2009. On June 11, 2009, certain creditors of Appalachian placed Appalachian in involuntary bankruptcy. East Kentucky filed a proof of claim in that proceeding, which is described in Item 14 (b) (5) above. The bankruptcy stayed the Clark Circuit Court proceeding and East Kentucky intends to pursue its claims against Appalachian in the bankruptcy proceeding.

East Kentucky and Armstrong filed cross motions for summary judgment in this case, along with respective responses and replies to said motions, and said motions came before the Clark Circuit Court for hearing on March 11, 2010. At the conclusion of that hearing on March 11, the Clark Circuit Court Judge orally sustained East Kentucky's motion for summary judgment and denied Armstrong's motion for summary judgment, declaring that Armstrong is obligated under its contract with East Kentucky to provide a total of 585,000 additional tons of coal to East Kentucky for the entire term of that contract. The parties have executed a written Judgment in accordance with the Judge's ruling from the bench and have tendered the same to the Judge for entry.

Argus' litigation is in the early stages of discovery.

Confidential protection of certain portions of contract information has been requested in the form of a motion for confidential treatment.

EAST KENTUCKY POWER COOPERATIVE, INC

**PSC CASE NO. 2009-00506
FUEL ADJUSTMENT CLAUSE
RESPONSE TO INFORMATION REQUEST**

**COMMISSION STAFF'S INFORMATION REQUEST DATED 01/27/10
REQUEST 17**

RESPONSIBLE PARTY: Julia J. Tucker

Request 17. Identify and explain the reasons for all changes that occurred during the period from May 1, 2009 through October 31, 2009 in the organizational structure and personnel of the departments or divisions that are responsible for East Kentucky's fuel procurement activities.

Response 17. During the May 1, 2009 through October 31, 2009 time period, the Fuels and Emissions Manager retired, resulting in subsequent organizational changes. EKPC has divided the duties of the previous manager into two positions. There is now a Manager for coal procurement and delivery. A second Manager position for natural gas procurement and delivery, emissions procurement and hedging and renewable technology development was created and filled in December 2009. Additionally, a Director position has been established to guide the entire fuels, emissions and renewables functions for the strategic benefit of the organization. This position was filled in March 2010.