

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

In the Matter of:

APPLICATION OF SOUTHERN INDIANA)
GAS & ELECTRIC CO., D/B/A VECTREN)
ENERGY DELIVERY OF INDIANA, INC.)
FOR A CONSTRUCTION CERTIFICATE TO)
CONSTRUCT AN ELECTRIC TRANSMISSION)
LINE FROM ITS A.B. BROWN PLANT TO THE)
BIG RIVERS EHV STATION)

CASE NO. 2010-00223	RECEIVED KENTUCKY STATE BOARD ON OCT 15 2010 ELECTRIC GENERATION AND TRANSMISSION SITING
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MOTION TO WITHDRAW INTERVENORS' MOTION TO DISMISS

Comes the City of Henderson (hereinafter referred to as the "City"), Henderson Municipal Power & Light (hereinafter referred to as "HMP&L"), and Henderson Water Utility (hereinafter referred to as "HWU") (known collectively herein as "Intervenors" or "Henderson Parties"), by counsel, and moves the Kentucky State Board on Electric Generation and Transmission Siting ("Siting Board") to allow Intervenors to withdraw their pending Motion to Dismiss and Memorandum in support of same wherein Intervenors requested the Siting Board to dismiss and deny the Application of Southern Indiana Gas & Electric Co., d/b/a Vectren Energy Delivery of Indiana, Inc. (hereinafter "Vectren") for a Construction Certificate to Construct an Electric Transmission Line. Each of the foregoing entities may also hereinafter be referred to as a "Party" and all of the foregoing collectively may hereinafter be referred to as the "Parties." For the Intervenors' Motion to Withdraw, they state as follows:

1. That all of the Parties in this matter have resolved the issues raised in the Henderson Parties' respective Motions to Intervene previously filed in this matter;

2. That the Parties have executed a Settlement Agreement memorializing all of the terms, conditions and provisions agreed to concerning the previously disputed issues;

3. That Vectren has agreed to file an Amended Application with the Siting Board proposing an agreed upon alternate route for its proposed electric transmission line ("Proposed Amended Route") in conformity with the map tendered at the Parties' settlement conference;

4. That the Proposed Amended Route addresses and eliminates many of the concerns previously raised by Intervenors;

5. That in light of the Settlement Agreement and Vectren's filing of an Amended Application incorporating the Proposed Amended Route, the Intervenors no longer have a dispute with Vectren, and their Motion to Dismiss has now become moot.

WHEREFORE, the Intervenors respectfully request the Siting Board to allow them to withdraw their pending Motion to Dismiss and Memorandum in support of same.

So moved this the 15th day of October, 2010.

By: 

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CERTIFICATE OF SERVICE

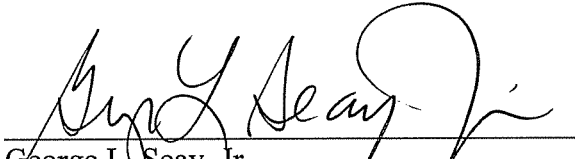
This is to certify that the original and ten true and correct copies of the foregoing has been served upon the following, by hand delivery, at the filing office of the Kentucky Public Service Commission, on this the 15th day of October, 2010:

Hon. Richard W. Bertelson, III
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and via U.S. Mail, postage prepaid to:

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