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AUG 17 2012

PUBLIC SERVICE
COMMISSION

Via Overnight Mail

August 16, 2012

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

Re: Case No. 2012-00063

Dear Mr. Derouen:

Please find enclosed the original and ten (10) copies of KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.'s MOTION TO DEVIATE for filing in the above-referenced matter.

By copy of this letter, all parties listed on the Certificate of Service have been served. Please place these documents of file.

Very Truly Yours,



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

BOEHM, KURTZ & LOWRY

MLKkew
Attachment

cc: Certificate of Service
Quang Nyugen, Esq.
Faith Burns, Esq.
David C. Brown, Esq.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by electronic mail (when available) and by mailing a true and correct copy by regular, U.S. Mail, unless other noted, this 16th day of August, 2012 to the following



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Kurt J. Boehm, Esq.

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EARTHJUSTICE
NATURAL RESOURCES DEFENSE COUNCIL
156 WILLIAM STREET, SUITE 800
NEW YORK, NEW YORK 10038

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

In the Matter of:

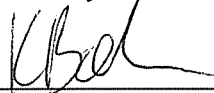
Application of Big Rivers Electric Corporation)
for Approval of its 2012 Environmental)
Compliance Plan, for Approval of its Amended)
Environmental Cost Recovery Surcharge Tariff,)
for Certificates of Public Convenience and)
Necessity, and for Authority to Establish a)
Regulatory Account)

Case No. 2012-00063

**MOTION OF KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.
TO DEVIATE FROM RULE GOVERNING FILING OF COPIES**

Kentucky Industrial Utility Customers, Inc. ("KIUC"), by counsel, petitions the Kentucky Public Service Commission ("Commission") to grant KIUC approval, pursuant to 807 KAR5:001, § 14, to deviate from the requirement that parties file an original and (10) ten complete copies of all data responses and attachments. On August 7, 2012 KIUC filed an original and one copy of KIUC Responses to Big Rivers Data Request Nos. 24-27. These responses contain nearly one thousand pages of e-mails and attachments. For the sake of economy, KIUC requests that the Commission excuse it from filing the remaining 9 copies required by Commission rules.

Respectfully submitted,



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

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August 16, 2012