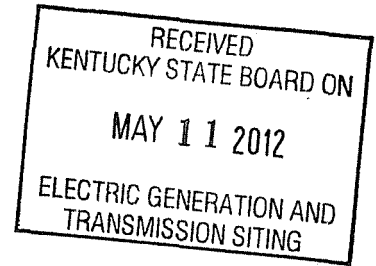




eco Power Generation



May 11, 2012

RECEIVED

MAY 11 2012

PUBLIC SERVICE  
COMMISSION

Commissioner David Armstrong  
Chairman, Kentucky State Board on Electric  
Generation and Transmission Siting  
P. O. Box 615  
Frankfort, KY 40602

Re: Annual Report of ecoPower-Hazard Generation, LLC, Case No. 2009-00530

Dear Chairman Armstrong:

In compliance with the Final Order in the above referenced case, please accept this letter as the ecoPower-Hazard Generation, LLC ("ecoPower") 2012 annual report. The May 18, 2010 Final Order granted ecoPower a Certificate of Construction for a wood-fired renewable energy electric generating facility and a 1.54 mile 69 KV transmission line required to connect the plant to the electric transmission grid at the Engle Substation in the service territory of Kentucky Power Company ("KPC"). The site is located in the Coal Fields Regional Industrial Park, approximately ten miles north of the City of Hazard, Kentucky.

#### A. Overview

Since the granting of the Certificate, ecoPower-Hazard has continued to focus its work on the advanced development of the project. Initial development work included identification of preferred vendors for major sourcing of the boiler, environmental control systems, turbine generator, air-cooled condenser and fuel handling facilities. Additional geotechnical work was necessary at the site to properly characterize the subsurface conditions of this mine spoil site. No construction work of any kind has been started at the project site at this time. Upon finalization of a power purchase agreement and financial closure of the required project financing, construction will be initiated. ecoPower remains committed to the initial conceptual plan for completing construction.

Significant effort has also been expended in the solicitation of lump sum engineering, procurement, and construction ("EPC") proposals from a number of firms experienced in this work and efforts are currently underway to evaluate the interest of

ADDRESS

1256 Manchester Street  
Lexington KY 40504  
United States of America

PHONE

ph: 859-685-1106  
fx: 859-252-6964

WEB

info@ecopg.com  
www.ecopg.com

potential EPC contractors. The interest of EPC contractors is largely based on the advanced stage of development enjoyed by the ecoPower project, but also is highly dependent on the execution of a power purchase agreement, which remains a major hurdle to the commencement of construction of the facility.

ecoPower has identified a strategic partner that it believes would benefit significantly from the purchase of a small block of renewable power and has been in negotiations for over a year with this company in an attempt to agree to a mutually beneficial power purchase agreement. Negotiations are in a state of temporary hiatus until issues beyond the control of ecoPower are resolved.

With regard to other regulatory and administrative requirements, ecoPower has secured several additional administrative approvals, including: 1) permits from the Kentucky Airport Zoning Commission and Federal Aviation Administration (Exhibit 1); and 2) an air permit extension by the Kentucky Division of Air Quality (Exhibit 2). These activities further demonstrate a continuing commitment by ecoPower to make renewable woody biomass electricity a part of Kentucky's energy resources. Currently, ecoPower is working to secure the few remaining permits from the Kentucky Energy Cabinet, which include: Construction Stormwater and KPDES Operating Permits. Upon receipt of these final permits, the two year deadline for commencing construction of the facility will officially start in accordance with KRS 278.704(1).

## **B. Implementation of Site Development Plan**

Since the site property remains in its original state until construction commences, there have been no modifications to access ways, internal roads, or other access to the site at this time.

## **C. Local Hiring and Procurement**

ecoPower has not yet commenced construction, so there is nothing to currently report in this area. ecoPower will encourage the use of local workers and vendors, as appropriate, in the selection of contractors and suppliers.

## **D. Public Comments and Responses**

ecoPower has received many favorable comments from policymakers, opinion leaders and citizens located near the proposed facility. There is a near universal recognition among the legislators who have commented upon the project (collectively, Exhibit 3) that the facility will create high-paying jobs, enlarge the local tax base and provide a needed outlet for woody waste products for which there is currently no economically efficient disposal opportunity. The project will also promote the goals articulated in the Governor's Energy Strategy and provide an indigenous source of affordable and reliable electricity for Eastern Kentucky for decades to come. In addition, the *Lexington Herald-Leader* and *Hazard Herald* have favorably mentioned the project in various editorials and articles (collectively, Exhibit 4) over the course of the last year.

ecoPower has also received several favorable comments from ratepayers of KPC. While Kentucky has enjoyed the benefits of low cost electricity for decades and remains one of the lowest average electricity cost states in the United States, new EPA regulations and an aging fleet of coal fired generating units are causing costs to rise. With regard to environmental costs alone, the Public Service Commission has either recently approved, or is currently considering, applications to construct equipment valued at over \$2.2 billion for Kentucky Utilities Company and Louisville Gas & Electric Company, \$974 million for KPC and \$283 million for Big Rivers Electric Corporation. These costs are in addition to the ordinary inflationary pressures which tend to increase utility rates. For instance, in the last ten years, publicly available data shows that average electricity rates in Kentucky have increased over five percent per year.

In contrast, ecoPower offers a pricing plan that defines both the initial cost as well as all future cost increases over the entire twenty year term of a power purchase contract. This approach yields net cost savings when compared to existing rates increasing at just an ordinary inflationary pace. ecoPower's most recent rate analysis (Exhibit 5) demonstrates that the net rate impact resulting from including a biomass resource in a utility's power supply portfolio are tangible and beneficial in the context of *existing* environmental regulations. If *proposed* environmental regulations are also factored into the analysis, the net benefit of the ecoPower project increases. Despite ecoPower's inability to yet find a suitable purchaser of the power which its facility is capable of producing, local support for the project remains as high as ever.

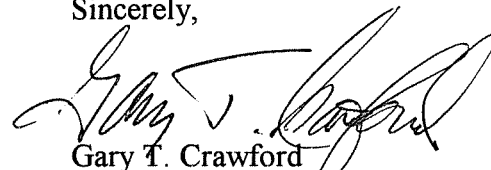
#### **E. Specific Mitigation Conditions**

ecoPower's is committed to fulfilling the obligations set forth in Appendix A to the May 18, 2010 Final Order granting approval of the Construction Certification.

#### **F. Summary**

In summary, ecoPower remains committed to the project and is optimistic that it will eventually be able to make a substantial investment in Eastern Kentucky, create high-paying construction and permanent jobs and offer a least-cost source of electricity to Kentucky residents and businesses. The continuing support of the Kentucky State Board on Electric Generation and Transmission Siting is certainly appreciated. Should you have any questions regarding the information presented in this annual report, please do not hesitate to contact me.

Sincerely,



Gary T. Crawford  
Chief Executive Officer

cc: James W. Gardner, Siting-Board Vice Chairman  
Len Peters, Energy Cabinet Secretary  
Larry Hayes, Economic Development Cabinet Secretary  
Denny Ray Noble, Perry County Judge-Executive  
Charles Earl May

LEXLibrary 0123273.0590187 510693v1



# Exhibit 1

Kentucky Airport Zoning Commission  
and  
Federal Aviation Administration Permits



NOV 16 2011

## KENTUCKY AIRPORT ZONING COMMISSION

STEVEN BESHEAR  
Governor

90 Airport Road, Bldg 400  
Frankfort, KY 40601  
www.transportation.ky.gov/aviation  
502 564-4480

November 16, 2011

### APPROVAL OF APPLICATION

#### APPLICANT:

ecoPower Generation  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

SUBJECT: AS-097-K20-2011-077

STRUCTURE: Power Plant Building  
LOCATION: Hazard, KY  
COORDINATES: 37° 22' 51.28" N / 83° 16' 36.07" W  
HEIGHT: 60' AGL/1350' AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 60' AGL/ 1350' AMSL Power Plant Building near Hazard, KY 37° 22' 51.28" N / 83° 16' 36.07" W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

A copy of the approved application is enclosed for your files.

Obstruction Marking / Lighting are not required.

A handwritten signature in black ink, appearing to read "John Houlihan".

John Houlihan  
Administrator



An Equal Opportunity Employer M/F/D



NOV 22 2011

**KENTUCKY AIRPORT ZONING COMMISSION**

STEVEN BESHEAR  
Governor

90 Airport Road, Bldg 400  
Frankfort, KY 40601  
www.transportation.ky.gov/aviation  
502 564-4480

November 16, 2011

APPROVAL OF APPLICATION

APPLICANT:

ecoPower Generation  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

SUBJECT: AS-097-K20-2011-078

STRUCTURE: Power Block Building  
LOCATION: Hazard, KY  
COORDINATES: 37° 22' 33.69" N / 83° 16' 31.56" W  
HEIGHT: 151' AGL/1437' AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 151' AGL/ 1437' AMSL Power Block Building near Hazard, KY 37° 22' 33.69" N / 83° 16' 31.56" W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

A copy of the approved application is enclosed for your files.

Red Lights and Red Paint are required in accordance with 602 KAR 50:100.

A handwritten signature in black ink, appearing to read "John Houlihan".

John Houlihan  
Administrator



An Equal Opportunity Employer M/F/D





Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4931-OE

Issued Date: 02/27/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\*DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE\*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Crane Crane @ PowerBlock
Location:	Hazard, KY
Latitude:	37-22-31.56N NAD 83
Longitude:	83-16-33.49W
Heights:	1286 feet site elevation (SE) 189 feet above ground level (AGL) 1475 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does exceed obstruction standards but would not be a hazard to air navigation provided the following condition(s), if any, is (are) met:  
As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, flags/red lights - Chapters 3(Marked),4,5(Red),&12.

See attachment for additional condition(s) or information.

It is required that the manager of Hazard Airport Manager at (6069)439-5140 be notified at least 5 business days prior to the temporary structure being erected and again when the structure is removed from the site.

This determination expires on 02/27/2013 unless extended, revised or terminated by the issuing office.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes in coordinates and/or heights will void this determination. Any future construction or alteration, including increase to heights, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4931-OE

**Signature Control No: 147376610-159688074**

( TMP )

Fred Souchet  
Specialist

Attachment(s)  
Additional Information

**Additional information for ASN 2011-ASO-4931-OE**

IT IS CRITICAL TO AVIATION SAFETY THAT YOU COMPLY WITH THE FOLLOWING NOTIFICATION REQUIREMENT BEFORE ERECTING ANY CRANE OR TEMPORARY STRUCTURE.

As a condition to this Determination, it is MANDATORY that THE FOLLOWING BE CONTACTED FIVE business days prior to the temporary structure being erected and once the structure is removed so that the appropriate NOTAM'S may be issued:

Hazard Airport Manager at (6069)439-5140

Notification is necessary so that aeronautical procedures can be temporarily modified to accommodate the structure. While the structure does not constitute a hazard to air navigation, it exceeds the following Sections of FAR PART 77:

Section 77.19 (a) A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway connecting the adjacent arcs by lines tangent to those arcs.

THE AIRPORT MANAGER SHALL ISSUES ALL NECESSARY NOTAMS CRANE(S) SHALL BE LOWERED DUE TO OPERATIONAL ISSUES, SUCH AS EMERGENCIES, INCLEMENT WEATHER, OR OTHER SAFETY CONCERNS AT THE REQUEST OF THE AIRPORT MANAGER LOCAL COORDINATION OF WORK WITH THE AIRPORT MANAGER IS MANDATORY SO AS TO MINIMIZE IMPACTS ON AIRPORT OPERATIONS.



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4932-OE

Issued Date: 02/27/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\*DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE\*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Crane Crane @ project area envelope SB1  
Location: Hazard, KY  
Latitude: 37-22-51.28N NAD 83  
Longitude: 83-16-36.07W  
Heights: 1290 feet site elevation (SE)  
100 feet above ground level (AGL)  
1390 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is (are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

As a condition to this determination, the temporary structure must be lowered to the ground when not in use and during the hours between sunset and sunrise.

This determination expires on 02/27/2013 unless extended, revised or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes in coordinates and/or heights will void this determination. Any future construction or alteration, including increase to heights, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as

indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4932-OE

**Signature Control No: 147376612-159687932**

Fred Souchet  
Specialist

( TMP )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4933-OE

Issued Date: 02/27/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\*DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE\*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Crane Crane @ project area envelope SB2
Location:	Hazard, KY
Latitude:	37-22-31.05N NAD 83
Longitude:	83-16-12.50W
Heights:	1290 feet site elevation (SE) 100 feet above ground level (AGL) 1390 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is (are) met:  
Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

As a condition to this determination, the temporary structure must be lowered to the ground when not in use and during the hours between sunset and sunrise.

This determination expires on 02/27/2013 unless extended, revised or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes in coordinates and/or heights will void this determination. Any future construction or alteration, including increase to heights, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as

indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4933-OE

**Signature Control No: 147376614-159687933**

Fred Souchet  
Specialist

( TMP )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4934-OE

Issued Date: 02/27/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\*DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE\*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Crane Crane @ project area envelope SB3  
Location: Hazard, KY  
Latitude: 37-22-23.68N NAD 83  
Longitude: 83-16-02.73W  
Heights: 1290 feet site elevation (SE)  
100 feet above ground level (AGL)  
1390 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is (are) met:  
Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

As a condition to this determination, the temporary structure must be lowered to the ground when not in use and during the hours between sunset and sunrise.

This determination expires on 02/27/2013 unless extended, revised or terminated by the issuing office.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes in coordinates and/or heights will void this determination. Any future construction or alteration, including increase to heights, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as



indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4934-OE

**Signature Control No: 147376616-159687930**

Fred Souchet  
Specialist

( TMP )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4935-OE

Issued Date: 02/27/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\*DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE\*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Crane Crane @ project area envelope SB4
Location:	Hazard, KY
Latitude:	37-22-19.71N NAD 83
Longitude:	83-16-02.59W
Heights:	1290 feet site elevation (SE) 100 feet above ground level (AGL) 1390 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is (are) met:  
Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

As a condition to this determination, the temporary structure must be lowered to the ground when not in use and during the hours between sunset and sunrise.

This determination expires on 02/27/2013 unless extended, revised or terminated by the issuing office.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes in coordinates and/or heights will void this determination. Any future construction or alteration, including increase to heights, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as

indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4935-OE

**Signature Control No: 147376618-159687936**

Fred Souchet  
Specialist

( TMP )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4936-OE

Issued Date: 02/27/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\*DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE\*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Crane Crane @ project area envelope SB5
Location:	Hazard, KY
Latitude:	37-22-19.22N NAD 83
Longitude:	83-16-15.37W
Heights:	1290 feet site elevation (SE) 100 feet above ground level (AGL) 1390 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is (are) met:  
Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

As a condition to this determination, the temporary structure must be lowered to the ground when not in use and during the hours between sunset and sunrise.

This determination expires on 02/27/2013 unless extended, revised or terminated by the issuing office.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes in coordinates and/or heights will void this determination. Any future construction or alteration, including increase to heights, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as

indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4936-OE

**Signature Control No: 147376620-159687937**

Fred Souchet  
Specialist

( TMP )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4937-OE

Issued Date: 02/27/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\*DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE\*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Crane Crane @ project area envelope SB6
Location:	Hazard, KY
Latitude:	37-22-28.21N NAD 83
Longitude:	83-16-23.16W
Heights:	1290 feet site elevation (SE) 100 feet above ground level (AGL) 1390 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is (are) met:  
Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

As a condition to this determination, the temporary structure must be lowered to the ground when not in use and during the hours between sunset and sunrise.

This determination expires on 02/27/2013 unless extended, revised or terminated by the issuing office.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes in coordinates and/or heights will void this determination. Any future construction or alteration, including increase to heights, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as

indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 201 I-ASO-4937-OE

**Signature Control No: 147376622-159687934**

Fred Souchet  
Specialist

( TMP )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4938-OE

Issued Date: 02/27/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\*DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE\*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Crane Crane @ project area envelope SB7
Location:	Hazard, KY
Latitude:	37-22-21.46N NAD 83
Longitude:	83-16-44.65W
Heights:	1290 feet site elevation (SE) 100 feet above ground level (AGL) 1390 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is (are) met:  
Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

As a condition to this determination, the temporary structure must be lowered to the ground when not in use and during the hours between sunset and sunrise.

This determination expires on 02/27/2013 unless extended, revised or terminated by the issuing office.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes in coordinates and/or heights will void this determination. Any future construction or alteration, including increase to heights, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as



indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4938-OE

**Signature Control No: 147376624-159687931**

Fred Souchet  
Specialist

( TMP )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4939-OE

Issued Date: 02/27/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\*DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE\*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Crane Crane @ project area envelope SB8
Location:	Hazard, KY
Latitude:	37-22-40.02N NAD 83
Longitude:	83-16-49.00W
Heights:	1290 feet site elevation (SE) 100 feet above ground level (AGL) 1390 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is (are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

As a condition to this determination, the temporary structure must be lowered to the ground when not in use and during the hours between sunset and sunrise.

This determination expires on 02/27/2013 unless extended, revised or terminated by the issuing office.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes in coordinates and/or heights will void this determination. Any future construction or alteration, including increase to heights, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as

indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4939-OE

**Signature Control No: 147376626-159687935**

Fred Souchet  
Specialist

( TMP )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4919-OE

Issued Date: 02/21/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\* Extension \*\***

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Crane Crane @ WP6
Location:	Hazard, KY
Latitude:	37-22-19.97N NAD 83
Longitude:	83-16-01.45W
Heights:	1225 feet site elevation (SE) 100 feet above ground level (AGL) 1325 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 08/21/2013 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4919-OE.

**Signature Control No: 147376581-159319057**

Fred Souchet  
Specialist

( EXT )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4920-OE

Issued Date: 02/21/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\* Extension \*\***

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure: Crane Crane @ WP7  
Location: Hazard, KY  
Latitude: 37-22-14.76N NAD 83  
Longitude: 83-16-00.15W  
Heights: 1235 feet site elevation (SE)  
100 feet above ground level (AGL)  
1335 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 08/21/2013 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4920-OE.

**Signature Control No: 147376583-159319051**  
Fred Souchet  
Specialist

( EXT )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4921-OE

Issued Date: 02/21/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\* Extension \*\***

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Crane Crane @ WP8
Location:	Hazard, KY
Latitude:	37-22-12.46N NAD 83
Longitude:	83-15-56.26W
Heights:	1237 feet site elevation (SE) 100 feet above ground level (AGL) 1337 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 08/21/2013 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4921-OE.

**Signature Control No: 147376585-159319046**  
Fred Souchet  
Specialist

( EXT )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4922-OE

Issued Date: 02/21/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\* Extension \*\***

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Crane Crane @ SP9
Location:	Hazard, KY
Latitude:	37-22-10.09N NAD 83
Longitude:	83-15-52.23W
Heights:	1222 feet site elevation (SE) 100 feet above ground level (AGL) 1322 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 08/21/2013 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4922-OE.

**Signature Control No: 147376587-159319050**  
Fred Souchet  
Specialist

( EXT )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4923-OE

Issued Date: 02/21/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\* Extension \*\***

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Crane Crane @ SP10
Location:	Hazard, KY
Latitude:	37-21-56.23N NAD 83
Longitude:	83-15-48.49W
Heights:	1232 feet site elevation (SE) 100 feet above ground level (AGL) 1332 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 08/21/2013 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4923-OE.

**Signature Control No: 147376589-159319049**  
Fred Souchet  
Specialist

( EXT )





Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4924-OE

Issued Date: 02/21/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\* Extension \*\***

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Crane Crane @ WP11
Location:	Hazard, KY
Latitude:	37-21-49.86N NAD 83
Longitude:	83-15-43.90W
Heights:	1214 feet site elevation (SE) 100 feet above ground level (AGL) 1314 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 08/21/2013 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4924-OE.

**Signature Control No: 147376595-159319055**  
Fred Souchet  
Specialist

( EXT )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4925-OE

Issued Date: 02/21/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\* Extension \*\***

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Crane Crane @ WP12
Location:	Hazard, KY
Latitude:	37-21-46.31N NAD 83
Longitude:	83-15-45.46W
Heights:	1216 feet site elevation (SE) 100 feet above ground level (AGL) 1316 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 08/21/2013 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4925-OE.

**Signature Control No: 147376598-159319052**  
Fred Souchet  
Specialist

( EXT )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4926-OE

Issued Date: 02/21/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\* Extension \*\***

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Crane Crane @ WP13
Location:	Hazard, KY
Latitude:	37-21-43.00N NAD 83
Longitude:	83-15-46.92W
Heights:	1213 feet site elevation (SE) 100 feet above ground level (AGL) 1313 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 08/21/2013 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4926-OE.

**Signature Control No: 147376600-159319048**  
Fred Souchet  
Specialist

( EXT )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4927-OE

Issued Date: 02/21/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\* Extension \*\***

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Crane Crane @ WP14
Location:	Hazard, KY
Latitude:	37-21-37.89N NAD 83
Longitude:	83-15-44.40W
Heights:	1209 feet site elevation (SE) 100 feet above ground level (AGL) 1309 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 08/21/2013 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4927-OE.

**Signature Control No: 147376602-159319056**

Fred Souchet  
Specialist

( EXT )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4928-OE

Issued Date: 02/21/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\* Extension \*\***

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Crane Crane @ WP15
Location:	Hazard, KY
Latitude:	37-21-35.68N NAD 83
Longitude:	83-15-43.31W
Heights:	1226 feet site elevation (SE) 100 feet above ground level (AGL) 1326 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 08/21/2013 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4928-OE.

**Signature Control No: 147376604-159319054**  
Fred Souchet  
Specialist

( EXT )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4929-OE

Issued Date: 02/21/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\* Extension \*\***

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Crane Crane @ TO2
Location:	Hazard, KY
Latitude:	37-21-34.95N NAD 83
Longitude:	83-15-44.80W
Heights:	1227 feet site elevation (SE) 60 feet above ground level (AGL) 1287 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 08/21/2013 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4929-OE.

**Signature Control No: 147376606-159319047**

Fred Souchet  
Specialist

( EXT )



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-ASO-4930-OE

Issued Date: 02/21/2012

Gary Crawford  
ecoPower Generation  
1256 Manchester Street  
Lexington, KY 40504

**\*\* Extension \*\***

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Crane Crane @ Stack
Location:	Hazard, KY
Latitude:	37-22-30.00N NAD 83
Longitude:	83-16-36.00W
Heights:	1286 feet site elevation (SE) 234 feet above ground level (AGL) 1520 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 08/21/2013 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ASO-4930-OE.

**Signature Control No: 147376608-159319053**

Fred Souchet  
Specialist

( EXT )





# Exhibit 2

Kentucky Division of Air Quality  
Permit Extension



Steven L. Beshear  
Governor

**Energy and Environment Cabinet  
Department for Environmental Protection**

Leonard K. Peters  
Secretary

Division for Air Quality  
200 Fair Oaks Lane, 1<sup>st</sup> Floor  
Frankfort, Kentucky 40601  
<http://air.ky.gov>

October 11, 2011

Mr. Gary Crawford, Chief Executive Officer  
ecoPower Generation – Hazard, LLC  
1256 Manchester Street  
Lexington, KY 40504


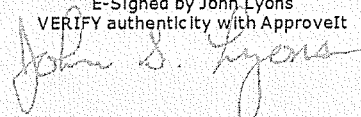
RE: Extension to Construction Authorization  
Source ID: 21-193-00113  
Agency Interest: 106405  
Activity: APE20110001  
Permit: V-10-013

Dear Mr. Crawford:

This is to acknowledge receipt of your electronically transmitted letter of October 10, 2011, in which you requested an extension to the construction authorization for the wood-fired electric generating facility, that is due to expire on October 23, 2011. Please consider this letter to be your official notification that DAQ is granting you an additional eighteen (18) months construction authority. This action is taken in accordance with 401 KAR 52:020, Section 3.

If you have any further questions or need further assistance, please contact Mr. Ben Markin of my staff at (502) 564-3999.

Sincerely,

E-Signed by John Lyons  
VERIFY authenticity with ApproveIt   


John Lyons  
Director

JL/BM  
Enclosure



# Exhibit 3

Letters in Support from Public Officials

HAROLD ROGERS  
5TH DISTRICT, KENTUCKY

COMMITTEE ON APPROPRIATIONS  
CHAIRMAN



Congress of the United States  
House of Representatives  
Washington, DC 20515-1705

PLEASE RESPOND TO:

- WASHINGTON OFFICE:  
2406 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-1705  
202) 225-4601
- DISTRICT OFFICES:  
551 CLIFTY STREET  
SOMERSET, KY 42503  
(606) 679-6346 OR  
1-800-632-8588
- 601 MAIN STREET  
HAZARD, KY 40314  
(606) 438-0794
- 110 RESOURCE COURT  
SUITE A  
PRESTONSBURG, KY 41653  
(606) 886-0844

July 14, 2011

Mr. Gregory G. Pauley  
President and COO  
Kentucky Power Company  
P.O. Box 5190  
101-A Enterprise Drive  
Frankfort, KY 40602

Dear Mr. Pauley:

I write to bring to your attention a project underway in my Congressional District that provides a business partnership opportunity for Kentucky Power Company, (KPC). It has come to my attention that Lexington-based ecoPower Generation plans to utilize Kentucky forest products to fuel a 58 MW biomass-fired generation project at the Coal Fields Regional Industrial Park near Hazard. I have learned that ecoPower has submitted a proposal to KPC, and as you review this proposal, I would encourage you to provide fair consideration of the merits of the project and its value to both Eastern Kentucky and the entire American Electric Power (AEP) system.


It is my understanding that this plant, once constructed and operational, will supply a reliable source of biomass-generated energy, which could help KPC to achieve its required replacement of needed plant capacity. Because of the vast timber resources available in the Appalachian Mountain region, approximately nine times the required fuel resources (over 500,000 green tons) are available within a one-hour trucking radius on a sustainable basis. ecoPower's sister company, Pine Mountain Lumber, has operated log yards in the area for 20 years and will supply approximately 40% of the project's fuel needs, to include: low grade wood, timber harvest residuals, and mill residuals. Throughout my tenure in the U.S. Congress, I have supported an "All of the Above" approach to energy security, and I am therefore extremely interested in ecoPower's efforts to develop sustainable green energy right in our backyard.

In addition to supporting the greater usage of green energy, this project will benefit short- and long-term economic development in my region of Kentucky and within your service area. ecoPower projects that this plant will support hundreds of construction jobs in the short-term, up to 40 permanent plant positions, and more than 400 long-term logging, trucking, and other jobs indirectly. As you doubtless are aware, this region of Appalachia suffers from chronically low employment figures – and any job-creating enterprise, large or small, contributes substantially to

the economic development of the area. For this reason, I encourage you to duly consider this opportunity proposed by ecoPower Generation.

Thank you for your consideration. If you have further questions or concerns, please do not hesitate to contact Megan O'Donnell of my staff at (202) 225-4601, or via email at [megan.o'donnell@mail.house.gov](mailto:megan.o'donnell@mail.house.gov).

Sincerely,

  
HAROLD ROGERS  
Member of Congress

# Commonwealth of Kentucky

STATE SENATE

303 SOUTH MAIN STREET  
LONDON, KENTUCKY 40741  
OFFICE: 606-878-8845

E-mail: tom.jensen@lrc.ky.gov



**Tom Jensen**  
21st Senate District

STATE CAPITOL ANNEX  
702 CAPITOL AVENUE  
FRANKFORT, KY 40601  
MESSAGE LINE: 800-372-7181  
502-564-8100, Ext. 604

*File*

July 21, 2011

Mr. Gregory G. Pauley  
President and COO  
AEP – Kentucky Power Company  
101A Enterprise Drive  
Frankfort, KY 40601

Dear Mr. Pauley,

It has come to my attention that your company is considering purchasing power from the planned ecoPower Generation plant in Hazard, Kentucky. I have followed the development of this project and am very encouraged by and supportive of the benefits it brings to Eastern Kentucky. I work diligently to diversify the economy, create jobs and increase income in the region. This project is an element of that effort. Economic impact analysis indicates that it will create about 500 permanent jobs, 250 construction jobs and inject over \$18 million annually into the local economy.

I am aware that impending EPA regulations will force Kentucky Power to retire some existing eastern Kentucky generation capacity and replace it with new generation. The ecoPower project may help alleviate the demand. It offers a local solution to a portion of Kentucky Power's potential generation needs.

Therefore, I urge you to give consideration to the ecoPower power purchase opportunity.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Jensen".

Thomas L. Jensen

# Commonwealth of Kentucky

STATE SENATE

RAY S. JONES, II  
STATE SENATOR  
CAPITOL ANNEX  
FRANKFORT, KY 40601  
(502) 564-8100 EXT. 681



P.O. DRAWER 3850  
PIKEVILLE, KY 41502  
(606) 432-5777

31<sup>st</sup> SENATE DISTRICT

*File*

July 13, 2011

Mr. Gregory G. Pauley  
President and COO  
AEP – Kentucky Power Company  
101A Enterprise Drive  
Frankfort KY 40601

Dear Mr. Pauley:

It has come to my attention that your company is considering purchasing power from the planned ecoPower Generation plant in Hazard, Kentucky. I have followed the development of this project and am very encouraged by and supportive of the benefits it brings to Eastern Kentucky. I work diligently to diversify the economy, create jobs, and increase income in the region. This project is an important element of that effort. Economic impact analysis indicates that it will create about 500 permanent jobs, 250 construction jobs, and inject over \$18 million annually into the local economy.

I am aware that impending EPA regulations are putting undo pressure on AEP and Kentucky Power to look for new sources of electrical generation. The ecoPower project offers a local solution to a portion of Kentucky Power's environmental compliance requirements. I believe that a local solution is extremely important because it generates local income rather than exporting wealth to other states through purchase power agreements.

Like everyone else, I am concerned about the impact of environmental compliance on future power costs. There is no escaping the fact that electricity rates are going to be higher in the future. I also recognize the cost of biomass generation will be somewhat higher than traditional generation, but want to assure you of my support of your cost recovery of these additional costs at the PSC and among my constituents, should Kentucky Power choose to purchase electricity from ecoPower.

I, therefore, urge you to give serious consideration to the ecoPower power purchase opportunity.

Sincerely,

A handwritten signature in cursive script that reads "Ray S. Jones, II".

Ray S. Jones, II  
Kentucky State Senate



# Commonwealth of Kentucky

SENATOR BRANDON D. SMITH  
30TH LEGISLATIVE DISTRICT  
CAPITOL ANNEX, ROOM 204  
702 CAPITOL AVENUE  
FRANKFORT, KY 40601  
(502) 564-8100, EXT. 661  
BRANDON.SMITH@LRC.KY.GOV



SENATE

Appropriations & Revenue  
Banking & Insurance  
Natural Resources & Energy - Chair  
Transportation, Co-Chair  
Special Subcommittee on Energy, Co-Chair  
Program Review & Investigations

July 12, 2011

Mr. Gregory G. Pauley  
President and COO  
AEP – Kentucky Power Company  
101A Enterprise Drive  
Frankfort, Kentucky 40601

Dear Mr. Pauley:

It has come to my attention that your company is considering purchasing power from the planned ecoPower Generation plant in Hazard, Kentucky. I have followed the development of this project and am very encouraged by and supportive of the benefits it brings to eastern Kentucky. I work diligently to diversify the economy, create jobs, and increase income in the region. This project is an important element of that effort. Economic impact analysis indicates that it will create about 500 permanent jobs, 250 construction jobs, and inject over \$18 million annually into the local economy.

I am aware that impending EPA regulations may force Kentucky Power to retire some existing eastern Kentucky generation capacity and replace it with new generation. While the ecoPower project is not large enough to meet all replacement generation needs, it offers a local solution to a portion of Kentucky Power's potential generation needs. I believe that a local solution is extremely important because it generates local income rather than exporting wealth to other regions through fuel and power imports.

Like everyone else, I am concerned about the impact of environmental compliance on future power costs. There is no escaping the fact that electricity rates are going to be higher in the future. I also recognize the cost of biomass generation will be somewhat higher than traditional generation initially, but will produce longer term savings for the consumer.

I, therefore, urge you to give serious consideration to the ecoPower power purchase opportunity.

Sincerely,

A handwritten signature in cursive script that reads "Brandon D. Smith".

Senator Brandon D. Smith

# KENTUCKY STATE SENATE

The Capitol  
Frankfort, KY 40601  
502-564-6136  
johnnyray.turner@lrc.ky.gov



29th District  
P.O. Box 5  
Drift, KY 41619

**Johnny Ray Turner**  
Democratic Caucus Chair

July 7, 2011

Mr. Gregory G. Pauley  
President and COO  
AEP – Kentucky Power Company  
101A Enterprise Drive  
Frankfort, KY 40601

Dear Mr. Pauley,

It has come to my attention that your company is considering purchasing power from the planned ecoPower Generation plant in Hazard, KY. I have followed the development of this project and am very encouraged by and supportive of the benefits it brings to Eastern Kentucky. I work diligently to diversify the economy, create jobs and increase income in the region. This project is an important element of that effort. Economic impact analysis indicates that it will create about 500 permanent jobs, 250 construction jobs, and inject over \$18 million annually into the local economy.

I am aware that the impending EPA regulations may force Kentucky Power to retire some existing Eastern Kentucky generation capacity and replace it with new sources of generation. While the ecoPower project is not large enough to meet all replacement generation needs, it offers a local solution to a portion of Kentucky Power's environmental compliance requirements. I believe that a local solution is extremely important because it generates local income rather than exporting wealth to other states through purchase power agreements.

Like everyone else, I am concerned about the impact of environmental compliance on future power costs. There is no escaping the fact that electricity rates are going to be higher in the future. I also recognize the cost of biomass generation will be somewhat higher than traditional generation, but I want to assure you of my support of your cost recovery of these additional costs at the PSC and among my constituents, should Kentucky Power choose to purchase electricity from ecoPower.

I, therefore, urge you to give serious consideration to the ecoPower power purchase opportunity.

Sincerely,

A handwritten signature in cursive script that reads "Johnny Ray Turner".

Johnny Ray Turner  
Senate Minority Caucus Chair

# Commonwealth of Kentucky

## HOUSE OF REPRESENTATIVES

GREGORY D. STUMBO  
95th Legislative District  
PO Box 1473  
108 Cassidy Drive  
Prestonsburg, Kentucky 41653



STATE CAPITOL  
Room 309  
Frankfort, Kentucky 40601  
(502) 564-3366

SPEAKER OF THE HOUSE

July 7, 2011

Mr. Gregory G. Pauley  
President and COO  
AEP – Kentucky Power Company  
101A Enterprise Drive  
Frankfort KY 40601

Dear Mr. Pauley:

It has come to my attention that your company is considering purchasing power from the planned ecoPower Generation plant in Hazard, Kentucky. I have followed the development of this project and am very encouraged by and supportive of the benefits it brings to Eastern Kentucky. I work diligently to diversify the economy, create jobs, and increase income in the region. This project is an important element of that effort. Economic impact analysis indicates that it will create about 500 permanent jobs, 250 construction jobs, and inject over \$18 million annually into the local economy.

I am aware that impending EPA regulations may force Kentucky Power to retire some existing Eastern Kentucky generation capacity and replace it with new sources of generation. While the ecoPower project is not large enough to meet all replacement generation needs, it offers a local solution to a portion of Kentucky Power's environmental compliance requirements. I believe that a local solution is extremely important because it generates local income rather than exporting wealth to other states through purchase power agreements.

Like everyone else, I am concerned about the impact of environmental compliance on future power costs. There is no escaping the fact that electricity rates are going to be higher in the future. I also recognize the cost of biomass generation will be somewhat higher than traditional generation, but want to assure you of my support of your cost recovery of these additional costs at the PSC and among my constituents, should Kentucky Power choose to purchase electricity from ecoPower.

I, therefore, urge you to give serious consideration to the ecoPower power purchase opportunity.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory D. Stumbo".

Gregory D. Stumbo  
Speaker of the House

# Commonwealth of Kentucky

HOUSE OF REPRESENTATIVES



ROCKY ADKINS  
STATE REPRESENTATIVE  
99th Legislative District  
P.O. Box 688  
Sandy Hook, Kentucky 41171  
Office: (606) 928-0407  
Home: (606) 738-4242

HOUSE MAJORITY FLOOR LEADER

July 13, 2011

STATE CAPITOL  
Room 304  
Frankfort, Kentucky 40601  
(502) 564-7460

CAPITOL ANNEX  
Room 309  
(502) 564-5565  
Fax: (502) 564-1687

Mr. Gregory G. Pauley  
President and COO  
AEP – Kentucky Power Company  
101A Enterprise Drive  
Frankfort KY 40601

Dear Mr. Pauley:

It has come to my attention that your company is considering purchasing power from the planned ecoPower Generation plant in Hazard, Kentucky. I have followed the development of this project and am very encouraged by and supportive of the benefits it brings to Eastern Kentucky. I work diligently to diversify the economy, create jobs, and increase income in the region. This project is an important element of that effort. Economic impact analysis indicates that it will create about 500 permanent jobs, 250 construction jobs, and inject over \$18 million annually into the local economy.

I am aware that impending EPA regulations are putting undo pressure on AEP and Kentucky Power to look for new sources of electrical generation. The ecoPower project offers a local solution to a portion of Kentucky Power's environmental compliance requirements. I believe that a local solution is extremely important because it generates local income rather than exporting wealth to other states through purchase power agreements.

Like everyone else, I am concerned about the impact of environmental compliance on future power costs. There is no escaping the fact that electricity rates are going to be higher in the future. I also recognize the cost of biomass generation will be somewhat higher than traditional generation, but want to assure you of my support of your cost recovery of these additional costs at the PSC and among my constituents, should Kentucky Power choose to purchase electricity from ecoPower.

I, therefore, urge you to give serious consideration to the ecoPower power purchase opportunity.

Sincerely,

A handwritten signature in black ink, appearing to read "Rocky Adkins".

Rocky Adkins  
Majority Floor Leader

Commonwealth of Kentucky  
HOUSE OF REPRESENTATIVES

245 East Cedar Drive  
Pikeville, Kentucky 41501



STATE CAPITOL ANNEX  
Room 373C  
Frankfort, Kentucky 40601  
(502) 564-8100, Ext. 669  
1-800-372-7181  
E-mail: [leslie.combs@lrc.ky.gov](mailto:leslie.combs@lrc.ky.gov)

**LESLIE A. COMBS**  
94th LEGISLATIVE DISTRICT  
July 15, 2011

Mr. Gregory G. Pauley  
President and COO  
AEP – Kentucky Power Company  
101A Enterprise Drive  
Frankfort, Kentucky 40601

Dear Mr. Pauley:

It has come to my attention that your company is considering purchasing power from the planned ecoPower Generation plant in Hazard, Kentucky. I have followed the development of this project and am very encouraged by and supportive of the benefits it brings to Eastern Kentucky. While I also strongly support Coal, I work diligently to diversify the economy, create jobs, and increase income in the region. This project is an important element of that effort. The information I have received indicates the economic impact will create many jobs. In fact, what I have received to date, is that 500 permanent jobs will be re-created as a result of the plant along with 250 construction jobs, and inject over \$18 million annually into the local economy.

I am aware that impending EPA regulations are putting undo pressure on AEP and Kentucky Power to look for new sources of electrical generation. The ecoPower project offers a local solution to a portion of Kentucky Power's environmental compliance requirements. I believe that a local solution is extremely important because it generates local income rather than exporting wealth to other states through purchase power agreements.

Like everyone else, I am concerned about the impact of environmental compliance on future power costs. There is no escaping the fact that electricity rates are going to be higher in the future. I also recognize the cost biomass generation will be somewhat higher than traditional generation, but want to assure you my support of your cost recovery of these additional costs at the PSC and among my constituents, should Kentucky Power choose to purchase electricity from ecoPower.

I, therefore, urge you to give serious consideration to the ecoPower purchase opportunity.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Leslie A. Combs".

Leslie A. Combs  
State Representative

LAC/lfr



# Exhibit 4

*Lexington Herald-Leader and  
Hazard Herald*  
Editorials and Articles

Nov. 27

Lexington (Ky.) Herald-Leader on alternative energy:

EcoPower Generation has just the kind of story we like to hear out of Kentucky, or anywhere else for that matter.

Founded in 2009, it wants to build a plant to generate electricity by burning waste wood in the heart of Kentucky's eastern forests.

The plant would do a number of things: create jobs, diversify Kentucky's energy portfolio, create a market for wood that often rots in the forest unsold, as well as generate electricity with significantly less environmental cost than burning coal, and more reliably than other alternative sources.

The company, created by experienced power and utility executives, has nailed down a location in Hazard, passed a couple of major regulatory hurdles, secured access to the electric grid and lined up wood suppliers. It should create about 500 jobs, 40 or so in the plant once it's running, and others in logging, trucking and other spin-offs.

Wonderful story, right?

Curb your enthusiasm; this is where things get complicated by outdated state rules.

EcoPower, which plans to sell its power in the wholesale market rather than directly to consumers, already has considerable investment but needs to borrow \$150 million to begin construction. Lenders want to see a contract to sell the power from the plant before they commit. ...

A kilowatt generated at this wood-fired plant is likely to cost 20 to 30 percent more than one generated at a much larger coal burning plant.

In the majority of states that require utilities to include alternative energy in their portfolios, that wouldn't be a problem. There would be a market for this home-generated, non-fossil-fuel power. But Kentucky, where coal is king, is not one of those states. ...

It still could be an economically viable deal for a utility. This plant will produce 50 to 60 megawatts of electricity compared to the 300 to 500 megawatts in a typical baseload plant, so the power purchased at the higher rate would be such a small share of the whole that it would have minimal impact on rates or bottom lines.

But, Kentucky law requires regulated utilities to go with the least-cost option, and the Public Service Commission has interpreted that narrowly and with a short-term view. ...



In Kentucky, a good start would be legislation that gives the PSC more flexibility in assessing least cost, followed by joining the majority of states that require diversification in energy sources.

Such measures could mean a happier ending for the EcoPower story. More important, they would be a big step toward energy security for future Kentuckians.

# ecoPower officials say plans for power plant still on tap

May 3 - McClatchy-Tribune Regional News - Bailey Richards The Hazard Herald, Ky

May 3 - McClatchy-Tribune Regional News - Bailey Richards The Hazard Herald, Ky.

After several years of planning, officials with ecoPower Generation say they are still moving forward with building a wood-burning power plant in Perry County that could bring hundreds of jobs and millions of dollars to the area. According to the Chief Executive Officer Gary T. Crawford, company officials are very optimistic as they move into the final stages of development before they begin construction.

ecoPower Generation made a proposal for a wood-burning plant in 2009. At that time, Crawford came before the Perry County Fiscal Court and said they hoped to begin construction in 2010. Since then, however, progress has slowed. Permitting and financing took longer than expected, though the company says they are still working on making this proposal a reality.

The Perry County plant would use around 550,000 tons of low-grade wood from saw mills and timber production. This wood would otherwise be considered waste. The primary source of lumber would be Pine Mountain Lumber Company out of Letcher County.

The proposed plant would be constructed in the Coal Fields Industrial Park in Chavies, reportedly capable of powering 30,000 residential homes. ecoPower would connect to the existing AEP grid via the Engle Substation that is only a mile from the proposed site of the power plant.

According to the company's most recent project overview, all of the agreements for hooking up to the current grid and the permits will be completed this spring. Shortly following finalizing all agreements, they have plans to buy the proposed site.

The project overview also said that as soon as 30 days after the final closure on the land, construction could begin. Just over two years after the closure, the plant is proposed to be completed and ready for service.

According to the company, they estimate around 200 jobs will be created during the construction phase. Once the plant is completed and operational, they have calculated it will bring around 500 jobs both directly through hires and indirectly through support businesses.

It is believed that the plant will bring about \$18 million in economic benefits to the region.

Knight-Ridder



# Exhibit 5

Rate Impact Analysis

# Appendix I

