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Case Management System - KY Public Service Commission

Merchant Plant Applications Cases Before the Commission as of May 19, 2013

2002-00172 RECEIVED: 06/10/04 FILED: 06/14/04 FINAL: REOPENED:
SUSPENSION DATE:

CASE NATURE: Estill County Energy Partners, LLC, coal combustion/electric generating facility (Electronic case)

CASE CODE
Merchant Plant - Deadline for Requesting
Deadline for Public Hearings, Board
Electronic Case
Board Decision Due

INTERVENORS: DLX and Harry LaViers,

HEARINGS:

08/24/04	Formal Hearing
08/05/04	Public Meeting

INDEX OF EVENTS:

05/16/02	Notice of Intent to file an integrated waste coal combustion and electric generating facility in Estill County, KY
05/16/02	Faxed copy of Notice of Intent to File for a Merchant Power Plant construction certificate in Estill County, KY
05/17/02	Acknowledge receipt of notice of intent to file an integrated waste coal combustion and electric generating facility in Estill County, KY
05/17/02	Letter to Governor Paul E. Patton to request local appointments to the Board.
06/03/02	Electronic filing account and password sent to Lisa E. Underwood for Estill County Energy Partners.
06/10/04	Estill County Energy Partners, LLC application for certificate to construct a merchant electric generating facility in Estill County, KY
06/14/04	Electronic filing- Application for Certificate to Construct Electric Generating Facility
06/14/04	Electronic filing Estill County Energy Partners, LLC -- Application for Certificate to Construct Electric Generating Facility - Exhibits M through U
06/14/04	Electronic filing Estill County Energy Partners, LLC -- Application for Certificate to Construct Electric Generating Facility - Exhibits M through U
06/16/04	Confirmation sheet for electronic filings
06/17/04	Acknowledge Receipt of Application with filing date of June 14, 2004
06/21/04	Governor Fletcher's Executive Order of reappointment
07/02/04	Notice of Procedural Schedule entered: Motion to Intervene due July 14, 2004 Request for Public Hearing due July 14, 2004 Intervenors and Staff Data Requests due July 21, 2004 Responses to Data Requests due July 28, 2004 Parties Direct Testimony due August 4, 2004 Parties List of Witnesses for hearing due August 19, 2004 Public Hearing at 10:00 a.m. at PSC offices August 24, 2004 Briefs due September 7, 2004 Decision due October 12, 2004
07/08/04	Lisa Baber request a public hearing
07/08/04	Cynthia Cusick request a public hearing
07/09/04	Staff's First Data Request to Estill County Energy Partners, LLC, response due 7/28/04.
07/13/04	Delores L. Rowland Request for public Hearing
07/13/04	Bonnie Morris Request for public Hearing
07/13/04	Tracy R. Patrick Request for public Hearing
07/14/04	DLX, Inc. and Harry LaViers, Jr., Motions to Intervene and to schedule an evidentiary hearing and application to file electronically
07/14/04	Motion of Will Herrick for Full Intervention
07/14/04	Memorandum dated July 14, 2004 for Team Site Visit to Estill County Energy Partners' proposed power plant; Comments, if any, due within five days of receipt.
07/16/04	Notice of Additions to Procedural Schedule entered: Motion to Intervene due July 14, 2004 Request for Public Hearing due July 14, 2004 Intervenors and Staff Data Requests due July 21, 2004 Responses to Data Requests due July 28, 2004 Siting Board visit to site at 10:00 a.m. August 2, 2004 Parties Direct Testimony due August 4, 2004 Public hearing at 7:00 p.m. in the Upstairs Courtroom of Estill County Courthouse on August 5, 2004 Parties List of Witnesses for hearing due August 19, 2004

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	Public Hearing at 10:00 a.m. at PSC offices August 24, 2004 Briefs due September 7, 2004 Decision due October 12, 2004
07/19/04	Letter to AEP, ULH&P, East KY, LG&E requesting statement if Estill County Energy project would any upgrades to transmission systems be required, response due July 23, 2004
07/20/04	Letter to Big Rivers and Tennessee Valley Authority requesting statement if Estill County Energy project would any upgrades to transmission systems be required, response due July 26, 2004
07/20/04	Estill County Energy Partners' response to Motion of Will Herrick for Full Intervention and Response opposing motions to intervene and to schedule an evidentiary hearing of DLX, Inc. and Harry Laviers, Jr., Trustee
07/21/04	Letter to Tracy R. Patrick, Cynthia Cusick, Lisa Baber, Delores L. Rowland, Bonnie Morris in response
07/21/04	Board Staff's second data request to Estill County Energy Partners, LLC., response due July 28, 2004
07/21/04	Board Staff's first data request to DLX, Inc. and Harry Laviers, Jr., response due July 28, 2004
07/21/04	DLX and the Maxie Laviers trust data requests
07/21/04	Order granting motions of Will Herrick and DLX, Inc., and Harry LaViers, Jr., intervention
07/21/04	Intervenor Will Herricks first data request to Estill County Energy Partners
07/21/04	Thomas J. FitzGerald entry of appearance on behalf of Will Herrick
07/22/04	Review & Evaluation of Estill County Energy Partners site assessment report
07/22/04	FAX copy of ULH&P's response to letter dated July 15, 2004
07/23/04	FAX copy from East KY Power response to July 15 letter advising will not need upgrades to transmission system
07/23/04	Order entered the Board will not adjudicate the merits of the real estate claims described in the DLX motion to intervene or any other issues beyond those delegated to it by Chapter 278 of the KRS; the August 24 hearing in Frankfort satisfies DLX's request for an evidentiary hearing, the Board denies its motion for an additional evidentiary hearing; the Board reaffirms its Order granting the DLX and Herrick interventions.
07/23/04	KU's response to July 15, 2004 letter confirming that upgrades to transmission system will be required
07/26/04	American Electric Power's response to July 15, 2004 letter advising no upgrades required to transmission system
07/26/04	ULH&P original letter to fax received 7/22
07/26/04	FAX copy of Big Rivers response to July 19, 2004 letter, advising no upgrades to transmission system
07/27/04	Economic Development PROXY appointment of J.R. Wilhite
07/28/04	Big Rivers original letter to fax received 7/26
07/28/04	Responses of DLX and Harry Laviers, Jr., trustee, to the Board Staff's first data request including CD and Maps which are not electronically filed
07/28/04	Electronic filing Estill County Energy Partners, LLC -- Response to Board Staff's First Data Request
07/28/04	Electronic filing -- Proof of Notice of publication regarding the public hearing
07/28/04	Electronic filing Estill County Energy Partners, LLC -- Response to Board Staff's Second Data Request
07/28/04	Electronic filing Estill County Energy Partners, LLC -- Objections and Responses to DLX's and the Maxie Laviers Trust's Data Requests
07/28/04	Electronic filing Estill County Energy Partners, LLC -- Objections and Responses to Will Herrick's First Data Request
08/04/04	Electronic filing Lisa E. Underwood; OnBehalfOf:Estill County Energy Partners, LLC -- Direct Testimony of Gerard B. Mack and Direct Testimony of Dell Jaggers
08/09/04	TVA's response to July 19, 2004 letter advising no impact on transmission system and requesting Estill representative contact to discuss
08/12/04	Michael W. Wells public comment
08/12/04	Original copy of Estill's Motions for Admission Pro Hac Vice for Joseph Tirone & Stephen Watts
08/12/04	Electronic filing Estill County Energy Partners, LLC -- Motion for Admission Pro Hac Vice for Joseph Tirone
08/12/04	Electronic filing Estill County Energy Partners, LLC -- Motion for Admission Pro Hac Vice for Stephen Watts
08/13/04	Siting Board summary of August 5, 2004 local public meeting
08/17/04	Original of Estill's proof of notice of the evidentiary hearing
08/17/04	Electronic filing Estill County Energy Partners, LLC -- Proof of Notice regarding Evidentiary Hearing
08/18/04	Order entered admitting Stephen H. Watts, II as co-counsel representing Estill County Energy Partners
08/18/04	Order entered admitting Joseph G. Tirone as co-counsel representing Estill County Energy Partners
08/19/04	Witness List for intervenor Will Herrick
08/19/04	DLX's and Harry Laviers, Jr., Trustee's Witness Lists
08/19/04	Original of Estill County Energy Partners List of Witnesses and Summary of Testimony
08/19/04	Electronic filing Estill County Energy Partners, LLC -- List of Witnesses and Summary of Testimony of Estill County Energy Partners, LLC
08/20/04	TVA supplements August 6 letter advising have requested information from Estill for a more appropriate analysis
08/24/04	DLX's and Harry Laviers, Jr., trustee's Motion to Dismiss and Memorandum
08/31/04	Hearing Transcript of Evidence held August 24, 2004
08/31/04	Electronic Filing of Estill County Energy Partners, LLC's Response to Post-Hearing Data Requests

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09/01/04	Original paper copy of DLX and the Trust Certificate of Service and two exhibits introduced at the hearing held on August 24, 2004
09/13/04	Original paper copy of Estill's post-hearing brief
09/13/04	FAX copy of Estill's electronic confirmation of post-hearing brief
09/13/04	Electronic Filing of DLX's and Harry LaViers, Jr., Trustee's Hearing Brief and Amended Dismiss and Motion to Strike Testimony
09/13/04	Electronic filing Estill County Energy Partners, LLC -- Post-Hearing Brief
09/14/04	Original paper copy of DLX's and Harry Laviers, Jr., trustee's hearing brief and amended dismiss and motion to strike testimony
09/14/04	Original paper copy of post-hearing brief of intervenor Will Herrick
09/24/04	Tennessee Valley Authority followup to August 6 and 18 letters, completed study
10/13/04	Order entered: Estill County Energy Partners, by 10/22/2004, shall either file a written statement indicating whether it accepts conditions and commitment set forth in Order and Appendix, or file statement indicating it will defer filing such statement until after issuance of Board's subsequent Order ruling on supplemental assessment report
10/20/04	Original paper copies of written statement of Estill County in response to Board's October 12, 2004 Order
10/20/04	Electronic filing Estill County Energy Partners, LLC -- Written Statement of ECEP in Response to the Board's October 12, 2004 Order
05/31/05	Electronic filing Estill County Energy Partners, LLC -- Motion to Withdraw
06/01/05	Original copy and copies of Estill County Energy Partners Motion to Withdraw
06/02/05	Order entered granting motion to withdraw, within 20 days ECEP shall advise the Board in writing of the identity of its new local counsel, and its new counsel shall file an Entry of Appearance with the Board
06/21/05	Notice of appearance as counsel for Estill County Energy Partners
07/12/05	Order entered: Estill County Energy Partners is assessed a supplemental application fee of $30,000, which shall be remitted to the Board with its supplemental site assessment report, but no later than 6/15/2007
06/13/07	Motion to delay filing of supplemental site assessment report and payment of supplemental fee
06/13/07	FilerFullName:D. Duane Cook; OnBehalfOf: -- Motion for Extension of Time
07/02/07	Order entered granting an extension of time until September 15, 2007 to comply with the Board's July 12, 2005 Order.
08/07/07	First reminder letter for information to be filed by utility in response to 10/12/04 Order; response now due 9/7/07
09/04/07	FilerFullName:Michael Burford; OnBehalfOf:Estill County Energy Partners, LLC -- Annual Reports for 2004, 2005 2006
09/11/07	FilerFullName:Michael Burford; OnBehalfOf:DLX Harry Laviers, Jr. Trustees -- Response to ECEPs Annual Reports
09/13/07	application fee check in the amount of $30,000
10/12/07	FilerFullName:Michael Burford; OnBehalfOf:Estill County Energy Partners -- 2007 Annual Report
12/15/08	Estill County Energy Partners, LLC Annual Report for 2008
12/04/09	Estill County Energy's Annual Report for 2009

Total Number of Cases: 1