

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ALTERNATIVE RATE FILING OF HILLRIDGE) CASE NO. 2010-00426
FACILITIES, INC.)

ORDER

Hillridge Facilities, Inc. ("Hillridge Facilities") has moved to compel Louisville-Jefferson County Metropolitan Sewer District ("MSD") to provide full and complete answers to certain requests contained in Hillridge Facilities' Request for Information. In support of its motion, Hillridge Facilities states that MSD failed to fully and completely answer Requests 1 through 14 of its Request for information and to make a reasonable effort to provide answers to those Requests.

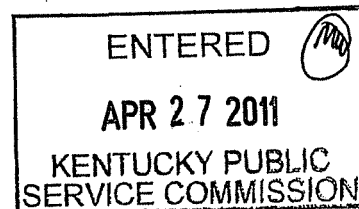
Without considering the merits of Hillridge Facilities' arguments that MSD has failed to adequately respond to these requests, the Commission finds that the requested information is irrelevant to the issues presented by Hillridge Facilities' application for rate adjustment and would not likely lead to the production of relevant evidence and the motion, therefore, should be denied. All but one of the requests in question relate to the operation or operating characteristics of MSD facilities. As MSD facilities are not subject to Commission jurisdiction¹ and as their operating characteristics have no relevance to the reasonableness of Hillridge Facilities' proposed rates, we find no basis to compel production of the requested information.

¹ See KRS 278.010(3)(f).

As to Request 1, which seeks communications between MSD and the Division of Water regarding Hillridge Facilities, we are unable to ascertain how such communications would lead to the production of evidence on the reasonableness of Hillridge Facilities' current rates or the need for the proposed rate adjustment.

Having considered the motion and been otherwise sufficiently advised, the Commission HEREBY ORDERS that Hillridge Facilities' Motion to Compel is denied.

By the Commission



ATTEST:

Stephanie Bell for Jeff Perawan
Executive Director

Case No. 2010-00426

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