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J. Warren Keller  
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\_\_\_\_\_  
Bradley S. Harn

**TAYLOR, KELLER & OSWALD**  
ATTORNEYS AT LAW

Boyd F. Taylor  
(1924-2012)

September 11, 2014

RECEIVED

SEP 15 2014

PUBLIC SERVICE  
COMMISSION

Jeff R. Derouen, Esq.  
Kentucky Public Service Commission  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602-0615

RE: Motion to Withdraw Jackson Energy's Sample Meter Testing Plan

Dear Jeff:

Enclosed with this correspondence you should find the original and seven (7) copies of the motion to dismiss that I have prepared and filed on behalf of Jackson Energy Cooperative.

If you have question concerns, please do not hesitate to contact me.

With kindest regards,

Sincerely,

A handwritten signature in blue ink, appearing to read 'Clayton O. Oswald'.

Clayton O. Oswald

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Enc.

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

SEP 15 2014

PUBLIC SERVICE  
COMMISSION

In the Matter of:

MR. BILL'S GROCERY	)	
Complainant	)	
V.	)	Case No. 2014-00194
JACKSON ENERGY COOPERATIVE CORPORATION	)	
Defendant	)	

**MOTION TO DISMISS**

Comes now the Defendant, Jackson Energy Cooperative Corporation, by and through the undersigned counsel, pursuant to the Kentucky Administrative Regulations and all other applicable law, and hereby moves the Kentucky Public Service Commission for an Order dismissing this action with prejudice. As grounds for this motion, the Defendant states as follows:

On June 10, 2014, the Complainant, Mr. Bill's Grocery, filed a complaint with the Kentucky Public Service Commission (the "Commission") alleging that Jackson Energy Cooperative Corporation ("Jackson Energy") had improperly billed the Complainant for electric usage during a two year period in which a current transformer was malfunctioning. The complaint further sought a formal hearing before the Commission.

On June 11, 2014 the Commission acknowledged receipt of the complaint, and on June 17, 2014, the Commission entered an order directing that Jackson Energy either satisfy or answer the complaint.

On June 24, 2014, Jackson Energy filed an answer to the complaint which included the further information that the Complainant had been under billed for a two year period due to a broken wire leading to a current transformer and that Jackson Energy had provided a full and complete explanation of this to the Complainant.

On August 1, 2014, the Commission entered an order which included a procedural schedule and a request for information to both the Complainant and Jackson Energy. Pursuant to the terms of that order, the parties were to file responses to the Commission Staff's first request for information August 15, 2014 (14 days from the entry of said order).

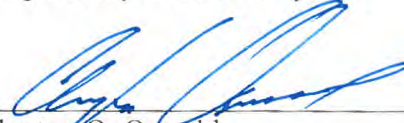
On August 11, 2014, Jackson Energy filed responses to the Commission's Staff's first request for information. In those detailed responses, Jackson Energy explained the background pertaining to this matter and how it determined the amount that the Complainant should have been billed for electric usage during the subject two year period, rather than the amount it was actually billed. Jackson Energy further provided the Commission with the applicable notices provided to the Complainant as well as a detailed explanation of the matter as provided to the Complainant.

Having not received from the Complainant its responses to the Commission Staff's first request for information by the deadline of August 15, 2014, on August 20, 2014, the Commission wrote to counsel for the Complainant and requested responses within ten days of receipt of that letter, along with a motion for enlargement of time in which to submit responses to the request for information. As of the current date, the Complainant has still not complied with the Commission's order of August 1, 2014 or its letter dated August 20, 2014.

Given the Complainant's complete disregard of the Commission's order and correspondence, and its failure to take any steps to prosecute this matter since the filing of its

complaint over three months ago, Jackson Energy now moves the Commission to dismiss this Complaint with prejudice.

Respectfully submitted by,



Clayton O. Oswald  
Taylor, Keller & Oswald, PLLC  
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Fax: (606) 878-8850  
E-mail: coswald@tkolegal.com  
*Attorney for Jackson Energy Cooperative*

**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that a true and correct copy of this motion was served by mailing a copy of same by first class mail, postage prepaid, to the following:

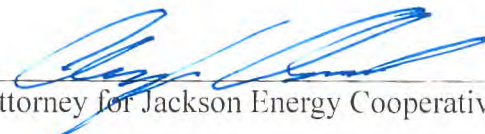
**Original and Seven Copies To:**

Mr. Jeff R. Derouen  
Kentucky Public Service Commission  
P.O. Box 615  
211 Sower Blvd.  
Frankfort, KY 40602-0615

**Copy To:**

Hon. Bill Meador  
Attorney at Law  
P.O. Box 499  
Hyden, KY 41749  
*Attorney for Complainant*

On this   4   day of September 2014.



Attorney for Jackson Energy Cooperative