

# Kentucky Resources Council, Inc.

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August 31, 2007

Docket Clerk  
Public Service Commission  
211 Sower Boulevard  
Frankfort Kentucky 40601

**RECEIVED**

SEP - 4 2007

**PUBLIC SERVICE  
COMMISSION**

Re: PSC Case No. 2007-00134

Dear Docket Clerk:

Enclosed please find for filing one original and ten (10) copies of the Response of Citizens For Alternative Water Solutions (CAWS) to Dat Requests Propounded by the Louisville Water Company

Please note that these were to have been filed by August 27, and that I have sought leave of all parties to file these out of time, to which they have graciously consented. The Response includes a Motion for Leave To File Out Of Time, and I would appreciate you presenting that to the Commission for its consideration.

All parties of record have been served. Thanks in advance for your assistance.

Cordially,



Tom FitzGerald  
Counsel for CAWS

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE  
COMMISSION

In the Matter of:

Application of Kentucky-American Water )  
Company, a/k/a Kentucky American Water )  
For Certificate of Convenience and Public )  
Necessity Authorizing Construction of )  
Kentucky River Station II ("KRS II"), )  
Associated Facilities, and Transmission Line )

Case No. 2007-00134

**CITIZENS FOR ALTERNATIVE WATER SOLUTIONS  
RESPONSE TO LOUISVILLE WATER COMPANY'S INITIAL  
REQUESTS FOR INFORMATION  
AND UNOPPOSED MOTION FOR LEAVE TO FILE OUT OF TIME**

Comes the Intervenor Citizens for Alternative Water Solutions (CAWS), and respectfully requests leave to file out of time these Responses to Interrogatories and Requests for Production of Documents propounded by Louisville Water Company ("LWC").

Counsel for CAWS has consulted with the parties, and there has been no opposition expressed to filing this response out of time. Counsel appreciates the courtesy shown by counsel for the other parties.

In response to the interrogatories and requests for production of documents (collectively, the "Discovery Requests") propounded on the Citizens for Alternative Water Solutions ("CAWS") by the Louisville Water Company, states as follows:

1. Identify each person who participated in the consideration and preparation of your answers to these Discovery Requests and identify to which particular Discovery Request each person was involved in answering.

**ANSWER:** The person who prepared these answers on behalf of CAWS is undersigned counsel, Tom FitzGerald.

2. Please explain whether (and why) you would/would not support a proposal such as that attached as Exhibit 2 to the prefiled direct testimony of Greg Heitzman.

**ANSWER:** Yes, CAWS conceptually supports an option such as that presented in Exhibit 2 to the Heitzman pre-filed testimony, when coupled with a comprehensive and meaningful demand management program to assure efficient utilization and minimization of wasteful consumption and non-consumptive loss of water with the current Kentucky-American Water Company system.

As noted in the prefiled direct testimony of CAWS Board Member Elizabeth Felgendreher, CAWS supports a solution to the water needs of Central Kentucky that is environmentally sound, fiscally responsible and socially just, and which is most consistent with the requirements for issuance of a Certificate of Public Necessity and Convenience, to wit a demonstration of need and an absence of wasteful duplication of facilities.

As noted in that testimony, CAWS believes that KAWC has failed to evaluate and implement reasonable measures that could help manage demand under average and peak demand conditions. CAS believes that only after such measures are evaluated can KAWC define the actual need that must be met through supply augmentation.

As part of a strategy that includes demand management through comprehensive conservation and loss-reduction measures, CAWS believes that a two-river solution that matches the virtually unlimited raw water supply and excess available and expandable treatment capacity with a community whose utility is lacking both raw water and treatment capacity to meet design peak needs, through a delivery system that is located and designed to avoid significant interference with valuable ecological resources in the natural environment and with landowners

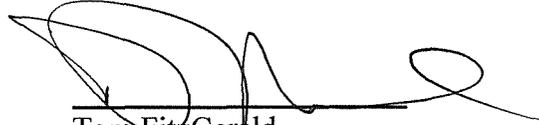
in the built environment, is a resolution that is preferable and more consonant with the standards for approval of a CPCN by the Commission.

**REQUESTS FOR PRODUCTION OF DOCUMENTS**

1. Please produce all documents referenced, relied upon, or identified in response to the interrogatories set forth above.

**RESPONSE:** No documents were referenced, relied upon or identified in response to the inquiry, other than the Heitzman Exhibit and the pre-filed Direct Testimony of Elizabeth Felgendreher that is already in the possession of all parties. As far as the larger question of the lack of comprehensive conservation measures, CAWS references the responses to CAWS Data Requests and Supplemental requests propounded to KAWC.

Respectfully submitted,



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(502) 875-2428

Counsel for Citizens for Alternative Water  
Solutions, Inc. (CAWS)

**CERTIFICATE OF SERVICE**

I hereby certify that the original and 10 copies have been mailed for filing with the Commission and that a true and correct copy has been served by first-class mail (and electronically) upon the following individuals this 31st day of August, 2007:

Hon. A.W. Turner Jr.  
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Hon. Lindsey Ingram, III

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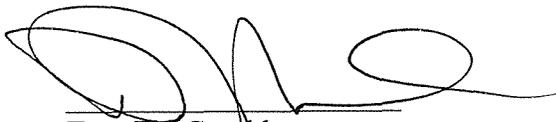
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