

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ROY G. COLLINS)	
)	
COMPLAINANTS)	
V.)	CASE NO.
)	2013-00052
JACKSON PURCHASE ENERGY)	
CORPORATION)	
)	
DEFENDANT)	

ORDER

An informal conference was held at the Commission's offices in Frankfort, Kentucky, on July 1, 2013. The purpose of the informal conference was to further an understanding of any issues that could lead to a potential resolution of some or all of the issues in the case. At the close of this conference, Commission Staff presented several procedural options to the parties: (1) the parties could submit the record, as it stands, to the Commission for a decision; (2) the parties could tender briefs addressing the issues in the case and then have the case submitted for a decision; or, (3) the parties could decide that this case should go to hearing and develop a procedural schedule. Both parties agreed to submit memorandums to the Commission setting forth their preference for one of the procedural options presented by Commission Staff.

On August 22, 2013, Commission Staff contacted each party via email and requested its memorandum regarding this matter. The same day, counsel for Jackson Purchase Energy Corporation ("Jackson Purchase") indicated, via email, that she would

inform Commission Staff of Jackson Purchase's position "within a few days".¹ On August 26, 2013, Mr. Collins responded, via email, that he would "prefer to go to hearing and would ask that a procedural schedule be implement[ed] to move this matter forward."² Both emails are attached as an appendix to this Order.

The Commission, as of the date of this Order, has not received any filing from Jackson Purchase indicating its procedural preference. The Commission has also not received an official request from Mr. Collins for a formal hearing. Based on the foregoing, the Commission finds that the parties should be afforded an opportunity to request a hearing, and that if no hearing is requested, the case should stand submitted for a decision.

IT IS THEREFORE ORDERED that:

1. Any party desiring a hearing in this matter shall submit a formal written request for such hearing within ten days of the date of this Order.
2. If no request for hearing is filed with the Commission within ten days of the day of this Order, this matter shall stand submitted for decision.

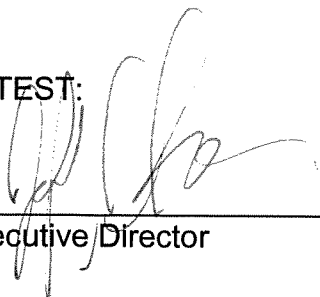
¹ Case No. 2013-00052, *Roy G. Collins v. Jackson Purchase Energy Corporation*, Email from Melissa Yates, Counsel for Jackson Purchase Energy Corporation, to Aaron Ann Cole, Staff Attorney for the Kentucky Public Service Commission (August 22, 2013). Commission Staff sent this message on to Mr. Collins the same day.

² Case No. 2013-00052, *Roy G. Collins v. Jackson Purchase Energy Corporation*, Email from Roy Collins, to Aaron Ann Cole and JEB Pinney, Staff Attorneys for the Kentucky Public Service Commission and Melissa Yates, Counsel for Jackson Purchase Energy Corporation (August 26, 2013).

By the Commission

ENTERED
SEP 20 2013
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2013-00052

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2013-00052 DATED **SEP 20 2013**

Cole, Aaron Ann (PSC)

From: Melissa Yates <myates@dklaw.com>
Sent: Thursday, August 22, 2013 11:20 AM
To: Cole, Aaron Ann (PSC)
Subject: Email

Aaron,

I just wanted to let you know I received your email. I will confirm with JPEC how they wish to proceed and let you know within a few days. Thanks for the reminder.

Melissa Yates

Cole, Aaron Ann (PSC)

From: Roy Collins <roy.collins@mmbcylaw.com>
Sent: Monday, August 26, 2013 4:58 PM
To: Cole, Aaron Ann (PSC); 'myates@dclaw.com'
Cc: Pinney, Jeb (PSC)
Subject: RE: Case No. 2013-00052 -- Collins v. Jackson Purchase Energy Corp.

Ms. Cole:

I would prefer to go to hearing and would ask that a procedural schedule be implement to move this matter forward.

Sincerely,

Roy Collins

From: Cole, Aaron Ann (PSC) [<mailto:AaronAnn.Cole@ky.gov>]
Sent: Thursday, August 22, 2013 10:44 AM
To: 'myates@dclaw.com'; Roy Collins
Cc: Pinney, Jeb (PSC)
Subject: Case No. 2013-00052 -- Collins v. Jackson Purchase Energy Corp.

Mr. Collins and Ms. Yates:

I am contacting you regarding the Informal Conference ("IC") held in Case No. 2013-00052 on July 1, 2013. During those discussions you both stated that you would submit memorandum to the Commission setting forth your preference for one of the procedural options discussed at the IC, namely, to submit the record, as it stands now, to the Commission for a decision; or, to go to hearing and develop a procedural schedule to that end. We have not received anything from either of you. In order to move towards resolution of the matter, please submit your memorandum as soon as possible.

Please contact me with any questions regarding this case.

Sincerely,

Aaron Ann Cole

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