

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION
CASE NO. 2015-00100 and
CASE NO. 2015-00101

In the Matter of:

**AN INVESTIGATION OF CEDAR HILLS DISPOSAL
SANITATION CORPORATION'S NOTICE OF INTENT
TO ABANDON SERVICE; AND AN INVESTIGATION OF
FRIENDLY PARK DEVELOPMENT'S NOTICE OF INTENT
TO ABANDON SERVICE**

**RESPONSE TO PROPOSED STIPULATIONS FILED
BY DAVIESS COUNTY, KENTUCKY**

Comes Cedar Hills Disposal Sanitation Corporation ("Cedar Hills"), and Friendly Park Development ("Friendly Park"), and for their respective responses to the proposed Stipulation of Facts filed on behalf of Daviess County and states as follows:

(1) At the conclusion of the hearing held on February 23, 2016, all parties were given through and including March 4, 2016 in which to file agreed upon stipulations. It appears that counsel for Daviess County forwarded proposed stipulation of facts to the undersigned late on the after of March 3, 2016. Unfortunately, the undersigned had already left his office on a planned retreat and was continuously unavailable until Monday afternoon of the following week. As a result, the undersigned did not see the proposed stipulation of facts until Tuesday, March 8, 2016. On the following day, the undersigned received the proposed Stipulation of Facts from Daviess County. The sequence is pointed out so the Commission will understand that apparently counsel for Daviess County attempted to submit proposed stipulation of facts to the undersigned,

but because of circumstances both unknown to him and to me, the proposed stipulations were not actually received until four days later.

(2) There does not appear to be anything in the record of this proceeding which authorized or allowed the filing of proposed findings of fact by either party. Moreover, because of the circumstances herein referenced, both Cedar Hills and Friendly Park do not believe that proposed findings of fact by either party are appropriate. However, out of an abundance of caution, both Cedar Hills and Friendly Park state that they do not take exception to the following numerically listed "Proposed Stipulation of Facts" submitted by Daviess County:

*Proposed Stipulation Nos. 1, 2, 3, 4, 6, 7, 8, 9, 11, 13, 21, 23, 24, 26, 27, 28,
29, 31, 32, 34, and 38.*

Stating further, neither Cedar Hills or Friendly Park agree to any of the other Proposed Stipulation of Facts submitted by Daviess County. Simultaneous with the filing of this response, and again, out of an abundance of caution and so that the proposed stipulation of facts (tendered by all parties) are more complete, Cedar Hills and Friendly Park have filed separate an additional proposed stipulation of facts.

Respectfully submitted.



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*Counsel for Cedar Hills Disposal Sanitation
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CERTIFICATE OF SERVICE

This is to certify that the foregoing Response was this day served on the following parties by mailing a true copy thereof, postage prepaid, to:

Jeff Derouen
Executive Director
Kentucky Public Service Commission
P. O. Box 615
211 Sower Blvd.
Frankfort KY 40602-0615

Hon. Claud Porter
Daviness County Attorney
P. O. Box 158
Owensboro KY 42302.

This 18th day of March, 2016.


A. V. CONWAY, II
*Counsel for Cedar Hills Disposal Sanitation
Corporation*