

COMMONWEALTH OF KENTUCKY  
PUBLIC SERVICE COMMISSION  
CASE #: 2017-00120

RECEIVED

APR 10 2017  
PUBLIC SERVICE  
COMMISSION

IN RE:

POLLITT ENTERPRISES, INC.  
WHITNEY CLARK POLLITT, INDIVIDUALLY  
AMANDA DEEANN POLLITT, INDIVIDUALLY  
BASIL C. POLLITT, INDIVIDUALLY  
D/B/A THE GAS GROUP, INC.  
A/K/A THE GAS GROUP.

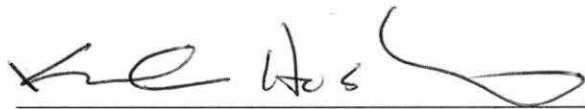
MOTION FOR AN EXTENSION OF TIME TO RESPOND  
TO THE COMMISSION'S ORDER OF 3-15-17

Comes Whitney Clark Pollitt, by counsel, and moves the Commission to extend the time for responding to its Order of 3-15-17. In support of this motion Pollitt states as follows:

1. Pollitt was served with a copy of the Order, via certified mail, on or about 3-20-17. The Order provides Pollitt has 20 days to respond. Page 1 of the Order concerns the Commission's jurisdictional authority in this matter and cites 4 separate statutes. Page 2 cites the Commission's regulatory authority, federal authority and the statutory/regulatory basis for the actions taken against him. Page 3 begins with a citation supportive of Pollitt's classification as a "utility". Thereafter there are citations to both statutes and regulations that provide, inter alia, the substantive law governing the alleged violations. Page 3 further provides a brief history of this case which is lengthy and complex. Said history concerns proceedings before the Commission, the Franklin Circuit Court and the Court of Appeals and spans an 18 year time frame beginning in 1999.

2. The Order itself requires a response to 6 inquiries contained in an attached appendix. Pollitt has just recently obtained counsel. He cannot offer a meaningful response to the Order in the 20 day time frame provided. Moreover, Pollitt verily believes that a response will require consultation with his father, Basil Pollitt, who is recuperating from colon cancer and as such is not

available. Accordingly, Pollitt moves this honorable Commission to grant him 45 days to tender a response or other responsive pleading. Pollitt observes that the Order provides for a hearing on 5-31-17. As such the requested extension will not interfere with the hearing. Requiring Pollitt to obtain counsel, study the Order, gather facts and tender knowing responses is unreasonable given the instant circumstances. As such it does not provide him with due process in any meaningful sense of the term. The extension is in the interest of justice and harms no one. A tendered order is attached hereto.



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#### CERTIFICATE

It is hereby certified that a copy of this document was sent via fax (502-564-3460) and U.S. Mail to the Public Service Commission, P.O. Box 615, 211 Sower Blvd. Frankfort, KY 40602-0615 this 6<sup>th</sup> day of April, 2017.



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ORDER

This matter is before the Commission per the motion of Whitney Clark Pollitt to extend the time for his response to the Order of 3-15-17 up to and including May 4, 2017. The Commission, having considered the matter and being otherwise sufficiently advised

IT IS HEREBY ORDERED that the motion is GRANTED and the time available for Whitney Clark Pollitt to respond or otherwise responsively plead to the Commission Order entered 3-15-17 is extended until 5-4-17.

\_\_\_\_\_  
Public Service Commission

Date: \_\_\_\_\_

Tendered by,



\_\_\_\_\_  
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