

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of

PETITION BY COMMONWEALTH OF	)	
KENTUCKY, THE CAMPBELL COUNTY	)	
FISCAL COURT FOR DETERMINATION	)	CASE NO. 8541
THAT RESPONDENT UNION LIGHT,	)	
HEAT AND POWER COMPANY MAY	)	
SERVICE INDUSTRIAL PARK	)	

O R D E R

On August 3, 1982, Campbell County Fiscal Court, by counsel, filed its Motion to Amend Petition requesting that the Response of Owen County Rural Electric Cooperative Corporation asserting that it has an absolute right pursuant to KRS 278.016 et seq. to provide electrical service to that part of the Industrial Park which is located in its certified territory be denied on the grounds that the statutes and/or the interpretation of the statutes and/or the statutes as applied to the facts of this case, contravene §3 of the Kentucky Constitution prohibiting exclusive franchises, §2 of the Kentucky Constitution prohibiting absolute and arbitrary power, §13 of the Kentucky Constitution and the Fourteenth Amendment to the United States Constitution prohibiting the deprivation and taking of property without due process of law. The Motion sets forth several Arguments in support of the request.

The Commission, having considered the Motion and being advised, HEREBY ORDERS that the parties herein shall file with the Commission, with copies to the parties of record, by 12:00 noon, Eastern Daylight Time, August 10, 1982, a response to the Arguments in the Motion of the Campbell County Fiscal Court.

Done at Frankfort, Kentucky, this 5th day of August, 1982.

PUBLIC SERVICE COMMISSION

Marlin M. Vohs  
Chairman

Katherine Landace  
Vice Chairman

Sam Carrigan  
Commissioner

ATTEST:

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Secretary