

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

WALTER CALLIHAN)	
)	
COMPLAINANT)	
)	
vs.)	CASE NO. 9246
)	
GRAYSON RURAL ELECTRIC)	
COOPERATIVE CORPORATION)	
)	
DEFENDANT)	

O R D E R

On December 19, 1984, Walter Callihan ("Callihan") filed a complaint against Grayson Rural Electric Cooperative Corporation ("Grayson"). The complaint alleges Grayson refuses to furnish certain records pertaining to unpaid accounts owed by Callihan. In its answer, Grayson furnished copies of billing records from September 1977 until October 1982, the date service was terminated. Thus, the information demanded in the complaint appears to have been satisfied.

On February 12, 1985, Callihan filed a Motion for a Bill of Particulars and Production of Records by Grayson and Others. It seeks a variety of information, much of which is not in the possession of Grayson, and which is in the possession of parties not subject to PSC jurisdiction.

Grayson responded to this pleading on February 12 by filing a Motion to Limit Discovery. It seeks to limit production of information to that normally maintained by a Class A electric utility under the Uniform System of Accounts. The request of Callihan appears to be so broad in scope as to be an undue burden on Grayson. It also appears that much of what is requested is irrelevant to electric service furnished by Grayson or is in the possession of agencies not regulated by the Commission. Therefore, the motion must be denied.

On February 14, Grayson filed its First Information Request. It seeks clarification of the relief Callihan seeks and documentation of payments of bills for electric service. The request appears to be both relevant and succinct and should be answered by Callihan within 15 days of this Order.

On February 20, Callihan filed an Answer to Defendants' Motion to Limit Discovery and a Motion for Temporary Injunction and Restraining Order. Neither pleading adds substance to the previous pleadings. The motion for a temporary injunction is improper because this Commission, having no equitable powers, has no authority to issue such an Order.

After a review of the record IT IS ORDERED that:

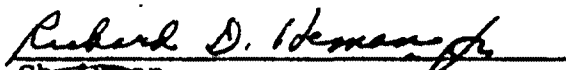
1. The information submitted with the answer of Grayson satisfies the request in the complaint;
2. The Motion for a Bill of Particulars is vague, overly broad and irrelevant and is denied;
3. Grayson's motion to limit discovery is appropriate and will allow Callihan access to all relevant information;

4. Grayson's request for information is pertinent to the issues raised by Callihan and must be answered within 15 days of this Order; and

5. The motion for an injunction is improper and is denied.

Done at Frankfort, Kentucky, this 1st day of March, 1985.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary