

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE BANKRUPTCY OF ROCKDALE)
DEVELOPMENT COMPANY, INC.) CASE NO. 9264

ORDER GRANTING REHEARING

On January 31, 1985, the Commission issued an Order invoking the third party agreement purportedly negotiated by Rockdale Development Company, Inc., ("Rockdale") and the First Bank & Trust Company of Ashland, Kentucky ("Bank"). Therein, the Bank was ordered to immediately take over the operations of Rockdale so as to protect the sewage service to the utility's residential customers.

On February 6, 1985, the Bank filed an application for rehearing of the Commission's January 31, 1985, Order. In support thereof, the Bank alleges that no officer of the Bank signed the third party agreement and that the signature of Mr. Donald Smith on the agreement is a forgery.

Having considered this matter and being advised, the Commission has determined that an evidentiary hearing should be held to resolve this matter.

IT IS THEREFORE ORDERED that a public hearing shall be held in the Commission's offices in Frankfort, Kentucky, on February 27, 1985, at 1:30 P.M., Eastern Standard Time.

IT IS FURTHER ORDERED that Mr. Carl Gibbs, President of Rockdale, shall appear at this hearing and respond to questions regarding the third party beneficiary agreement signed by him on December 21, 1978.

Done at Frankfort, Kentucky, this 15th day of February, 1985.

PUBLIC SERVICE COMMISSION

Richard D. Herman
Chairman

[Signature]
Vice Chairman

[Signature]
Commissioner

ATTEST:

Secretary