

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PROPOSED TARIFF OF BOONE COUNTY WATER        ) CASE NO.  
AND SEWER DISTRICT FOR SEWER CAPACITY FEE ) 91-374

O R D E R

George Higdon and Byron Griffith have moved for leave to intervene and for a continuance of the scheduled hearing in this matter. Boone County Water and Sewer District ("Boone District") and Americoal Corporation ("Americoal") have submitted responses to these motions.

Having considered the motions and the responses thereto, and being otherwise sufficiently advised, the Commission finds that:

1. Higdon and Griffith have a special interest in these proceedings which is not otherwise adequately protected.

2. The intervention of Higdon and Griffith is likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting these proceedings.

3. Higdon's and Griffith's ability to represent their interests will be materially prejudiced if they are not allowed an opportunity to present evidence in their own behalf.

IT IS THEREFORE ORDERED that:

1. The motions of Higdon and Griffith are granted.
2. Higdon and Griffith shall be entitled to the full rights

of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings correspondence, and all other documents submitted by the parties after the date of this Order.

3. Should Higdon or Griffith file documents of any kind with the Commission in the course of these proceedings, it shall also serve a copy of said documents on all other parties of record.

4. The hearing in this matter scheduled for June 5, 1991 is rescheduled to July 15, 1992 at 10:00 a.m., Eastern Daylight Time, and shall be held in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane in Frankfort, Kentucky.

5. Boone District shall publish notice of the hearing in accordance with Commission Regulation 807 KAR 5:011, Section 8(5).

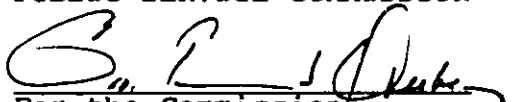
6. Higdon and Griffith shall file their testimony in verified form with the Commission no later than June 15, 1992.

7. Any party wishing to serve interrogatories or requests for production of documents upon Higdon or Griffith may do so no later than June 29, 1992.

8. Higdon and Griffith shall serve their responses to all interrogatories and requests for production of documents no later than July 9, 1992.

Done at Frankfort, Kentucky, this 4th day of June, 1992.

PUBLIC SERVICE COMMISSION

  
For the Commission

ATTEST:  
  
Executive Director, Acting