

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SUGAR GROVE FARM, INC., JOHN T. WARD, JR., AND DONNA WARD)	
)	
COMPLAINANTS)	
)	
VS.)	CASE NO. 96-334
)	
EAST KENTUCKY POWER COOPERATIVE, INC.)	
)	
DEFENDANT)	

O R D E R

East Kentucky Power Cooperative, Inc. ("EKPC") moved to advance the hearing date in this matter. Complainants oppose the motion. Having considered the motion and response thereto and being otherwise sufficiently advised, the Commission finds that the motion should be granted.

IT IS THEREFORE ORDERED that:

1. EKPC's Motion to Advance Hearing Date is granted.
2. Ordering paragraphs 1 through 8 of the Commission's Order of August 2, 1996 are vacated.
3. A formal hearing in this matter shall be held on November 13, 1996, at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, and continuing until completed.

4. Each party may, on or before August 30, 1996 serve upon any other party a request for production of documents and written interrogatories to be answered by the party served within 14 days of service.

5. Each party may, on or before September 27, 1996, serve upon any other party a supplemental request for production of documents and supplemental written interrogatories to be answered by the party served within 14 days of service.

6. Each party may, on or before October 15, 1996, take the testimony of any person by deposition upon oral examination pursuant to notice or by agreement.

7. Each party may, on or before September 27, 1996, serve upon any other party a written request for admission, for purposes of this proceeding only, of the truth of any matter relevant to this proceeding set forth in the request that relate to statements or opinions of fact or of the application of law to fact. The matter is admitted unless, within 10 days after service of the request, the party to whom the request is directed serves upon the party requesting the admission a written answer or objection. The form of the request for admission and the answer or objection thereto shall otherwise be governed by Kentucky Civil Rule 36.

8. Each party shall, on or before October 30, 1996, serve upon the other parties the written testimony of the witnesses which it will call at the formal hearing.

9. Each party shall, on or before November 8, 1996, serve upon the other parties any written rebuttal or surrebuttal testimony which it intends to present at the formal hearing.

10. All preliminary motions and objections to testimony shall be filed with the Commission no later than November 11, 1996.

11. Copies of all documents served upon any party shall be served on all other parties and filed with the Commission.

12. All provisions of the Commission's Order of August 2, 1996 which do not conflict with this Order remain in full force and effect.

Done at Frankfort, Kentucky, this 28TH DAY OF AUGUST, 1996.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director