

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KINGSTON-TERRILL WATER DISTRICT)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 95-460
)	
THE CITY OF RICHMOND, KENTUCKY, A)	
MUNICIPAL CORPORATION; AND THE)	
RICHMOND WATER, GAS, AND SEWAGE)	
WORKS)	
)	
DEFENDANTS)	

O R D E R

Since April 15, 1996, the Commission has held these proceedings in abeyance to permit negotiations between the parties. As of this date, the parties have failed to reach agreement. The Commission finds that these proceedings should be delayed no further and that a new procedural schedule in this matter should be established.

IT IS THEREFORE ORDERED that:

1. A formal hearing in this matter shall be held on August 11, 1997, at 9:00 a.m., Eastern Daylight Time, in Hearing Room 2 of the Commission's offices at 677 Comanche Trail, Frankfort, Kentucky, and continuing until completed.
2. Each party may, on or before April 18, 1997 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.

3. Each party may, on or before May 16, 1997, 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.

4. Each party may, on or before June 14, 1997, take the testimony of any person by deposition upon oral examination pursuant to notice or by agreement.

5. Each party may, on or before June 14, 1997, 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 relates 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.

6. Each party shall, on or before July 7, 1997, serve upon the other parties the written direct testimony of those witnesses whom it expects to call at the formal hearing.

7. Each party shall, on or before July 24, 1997, serve upon the other parties the written testimony of those witnesses whom it expects to call in rebuttal at the formal hearing.

8. Copies of all documents served upon any party shall be served on all other parties and filed with the Commission. All exhibits shall be appropriately marked.

9. Complainant's failure to comply with the terms of this Order or to appear at the scheduled hearing will be considered as grounds for dismissal of its Complaint.

10. Defendants' failure to comply with the terms of this Order or to appear at the scheduled hearing will be considered as grounds for granting the requested relief.

Done at Frankfort, Kentucky, this 7th day of April, 1997.

PUBLIC SERVICE COMMISSION

Linda K. Breathitt
For the Commission

ATTEST:

Don Mills
Executive Director