

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SHARON CLINKENBEARD)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 96-230
)	
NICHOLAS COUNTY WATER DISTRICT)	
)	
DEFENDANT)	

O R D E R

On February 19, 1997, in response to a request from the Public Service Commission's Executive Director for a status update from both the Complainant and Nicholas County Water District ("District"), the parties filed a joint status report advising that estimates for the cost of relocating the line had been prepared at the District's request and submitted to the Complainant. The status report also requested continued abeyance of this proceeding pending negotiations.

The complaint was filed on May 21, 1996. The District's initial response was filed on June 20, 1996. While a hearing was scheduled in this matter for October 3, 1996, due to a joint motion filed by the parties on September 24, 1996, requesting that the complaint be held in abeyance pending negotiations, the Commission postponed the hearing and requested a status report within 30 days. A status report was received on October 29, 1996, which stated that the parties were awaiting cost estimates and which requested continued abeyance pending negotiations. As a result, the Commission took

no additional action at that time. According to the status report filed by the parties on February 19, 1997, the cost estimates being awaited by the parties in October were finally submitted to the Complainant on February 7, 1997.

There having been no additional information filed by the parties since February 19, 1997, the Commission must assume that the matter remains unresolved. As a result, the hearing which was originally scheduled for October 3, 1996, but postponed by Order of the Commission, should be rescheduled in order to facilitate a conclusion to this matter.

IT IS THEREFORE ORDERED that:

1. Each party shall, on or before April 30, 1997, serve upon the other party a written summary of the testimony of the witnesses who are expected to be called at the formal hearing, copies of all exhibits which will be used at the hearing regardless of whether they are to be introduced, and all preliminary motions and objections, except objections to exhibits. All exhibits shall be appropriately marked.

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

3. A formal hearing in this matter shall be held on May 7, 1997, at 9:00 a.m., Eastern Daylight Time, in Hearing Room 2 of the Commission's offices at 677 Comanche Trail, Frankfort, Kentucky.

4. Any party desiring an informal conference prior to the formal hearing may make such a request by motion to the Commission. Such motion should state the intended purpose of the conference.

Done at Frankfort, Kentucky, this 3rd day of April, 1997.

PUBLIC SERVICE COMMISSION

Linda K. Breathitt
For the Commission

ATTEST:

Don Mills
Executive Director