

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BURKE REALTY COMPANY, INC.)	
)	
COMPLAINANT)	
)	
V.)	CASE NO. 97-323
)	
KENTUCKY TURNPIKE WATER DISTRICT)	
)	
DEFENDANT)	

O R D E R

Defendant Kentucky Turnpike Water District has moved to continue the hearing in this matter and to adjust the procedural schedule. Complainant Burke Realty Company has responded to Defendant's Motion. Having considered the motion and the response thereto and being otherwise sufficiently advised, the Commission HEREBY ORDERS that:

1. Defendant's Motion is granted in part and denied in part.
2. Paragraphs 6 and 7 of the Commission's Order of December 5, 1997 are hereby vacated.
3. Defendant is granted leave to depose Gerald P. Burke on his role in formulating and executing Defendant's policy on impact fees.
4. Complainant is granted leave to depose on or before March 18, 1998, any witness whom it has previously deposed. Questioning in such depositions shall be limited to the formulation and execution of Defendant's policy on impact fees.

5. On or before March 18, 1998 each party shall file with the Commission in verified form the direct testimony of each witness whom it expects to call at the formal hearing.

6. On or before March 26, 1998, each party shall file with the Commission in verified form the testimony of each rebuttal witness whom it expects to call at the formal hearing.

7. The formal hearing in this matter shall also consider all issues presented by Complainant's Motion for Interim Relief.¹ Witnesses addressing these issues shall file written testimony in accordance with Paragraphs 5 and 6 of this Order.

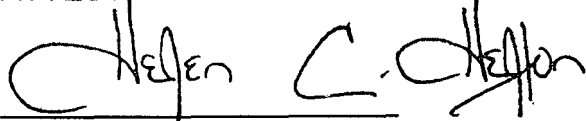
8. All provisions of the Commission's Order of December 5, 1997 that do not conflict with the terms of this Order remain in full force and effect.

Done at Frankfort, Kentucky, this 12th day of March, 1998.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST


Executive Director

¹ Due to inclement weather, the hearing on Complainant's Motion for Interim Relief which was previously scheduled for February 5, 1998 was postponed.