

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN ADJUSTMENT OF RATES OF THE)
KENTUCKY TURNPIKE WATER DISTRICT AND) CASE NO. 98-398
THE IMPOSITION OF AN IMPACT FEE)

O R D E R

Burke Realty Company has moved for dismissal of this case and for sanctions against Kentucky Turnpike Water District (Kentucky Turnpike) for failing to publish notice of the hearing in this matter. Kentucky Turnpike has moved for leave to amend its Application and for modifications to the existing procedural schedule. Having considered the motion and the response thereto, the Commission HEREBY ORDERS that:

1. Burke Realty Company s Motion to Dismiss is denied.
2. Burke Realty Company s Motion for Sanctions is denied.
3. Kentucky Turnpike s Motion to Amend its Application is granted.
4. Kentucky Turnpike shall, no later than February 26, 1999, file with the Commission and serve upon all parties of record the amendments to its Application.
5. When filing its proposed Amendments to its Application, Kentucky Turnpike shall also file with the Commission and serve upon all parties of record testimony in verified prepared form supporting the proposed Amendments, revised responses to all responses to earlier Commission and Intervenor requests for information that are affected by the proposed Amendments, and a revised tariff sheet setting forth the amended rates.

6. Intervenor shall have until March 8, 1999, to serve requests for information upon Kentucky Turnpike. Requests for information shall be limited to issues raised by the proposed Amendments to Kentucky Turnpike's Application.

7. Kentucky Turnpike shall, no later than March 18, 1999, file with the Commission and serve upon all parties of record its responses to all information requests.

8. Any Intervenor wishing to submit testimony on the proposed Amendments shall, no later than March 29, 1999, file with the Commission and serve upon all parties of record such testimony in verified prepared form.

9. Any requests to the Intervenor regarding the supplemental testimony of their witnesses shall be served on the Intervenor no later than April 8, 1999.

10. Intervenor shall, no later than April 19, 1999, file with the Commission and serve upon all parties of record their responses to all information requests.

11. Kentucky Turnpike shall publish notice of the hearing in this matter in accordance with Administrative Regulation 807 KAR 5:011, Section 8(5), no later than April 19, 1999.

12. A public hearing on the proposed rate adjustment is rescheduled to April 26, 1999, at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.

13. Kentucky Turnpike is granted leave to withdraw the proposed tariff sheets filed with the Commission on September 1, 1998 and to substitute revised tariff sheets. The proposed effective date of these rates shall be no earlier than 30 days from the date of their filing.

14. All provisions of the Commission's Orders of September 11, 1998 and October 27, 1998 not in conflict with this Order shall remain in full force and effect.

Done at Frankfort, Kentucky, this 10th day of February, 1999.

By the Commission

ATTEST:

Executive Director