

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOINT APPLICATION OF ORCHARD GRASS)
UTILITIES, INC. AND OLDHAM COUNTY)
SANITATION DISTRICT FOR APPROVAL)
OF THE TRANSFER OF WASTEWATER) CASE NO. 2004-00029
TREATMENT FACILITIES PURSUANT TO)
A STOCK PURCHASE AGREEMENT)
BETWEEN THE PARTIES)

O R D E R

On April 14, 2004, the Commission issued an Order granting in part and denying in part the motion of the Oldham County Sewer District and Orchard Grass Utilities, Inc. ("Joint Applicants") to strike the rebuttal of Robert Madison. On April 22, 2004, Mr. Madison filed a motion requesting that the Commission reconsider its decision to strike his Rebuttal Enclosures 10, 15, and 17, and requesting clarification of its decision with respect to his Rebuttal Enclosure 9.

In support of his motion for clarification, Mr. Madison states that the Commission's Order both disallowed and accepted Rebuttal Enclosure 9. In support of his motion for reconsideration, Mr. Madison states that Rebuttal Enclosures 10, 15, and 17 are relevant to the issue of reasonable service and that the Commission should allow them to remain in the record.

The Commission, after having reviewed the motion and being otherwise sufficiently advised, finds that the arguments raised in the motion are not significantly different from those raised previously, and rejected in our April 14, 2004 Order.

Therefore, Mr. Madison's motion for reconsideration with respect to Rebuttal Enclosures 10, 15, and 17 should be denied. With respect to Mr. Madison's motion for clarification, the Commission finds that Rebuttal Enclosure 9 is relevant and should not be stricken from the record.

IT IS THEREFORE ORDERED that:

1. Mr. Madison's motion for reconsideration of the Commission's Order of April 14, 2004 is denied.

2. Mr. Madison's motion requesting clarification of the Commission's Order of April 14, 2004 is granted.

3. Ordering Paragraph 1 of the Commission's Order of April 14, 2004 is modified to read:

The Joint Applicants' motion to strike the rebuttal of Mr. Madison is granted as to the text of the document and as to Enclosures 4, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17, and 18.

4. All other provisions of the Commission's Order of April 14, 2004 shall remain in full force and effect.

Done at Frankfort, Kentucky, this 12th day of May, 2004.

By the Commission

ATTEST:



Executive Director