

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BALLARD RURAL TELEPHONE	)	
COOPERATIVE CORPORATION, INC.	)	
	)	
COMPLAINANT	)	
	)	
v.	)	CASE NO.
	)	2004-00036
	)	
JACKSON PURCHASE ENERGY CORPORATION	)	
	)	
DEFENDANT	)	

ORDER

Jackson Purchase Energy Corporation (“Jackson Purchase”) filed a motion on April 1, 2005 requesting, inter alia, that the Commission order the parties hereto to attend a mediation conference. Jackson Purchase states in support of its motion that it desires to resolve the dispute with Ballard Rural Telephone Cooperative Corporation (“Ballard Telephone”) and that it believes mediation would help facilitate a resolution and reduce the costs of litigation to both parties. It requests that the Commission select a mediator, require that the mediator be compensated at his/her standard hourly rate, and order the parties to share the cost thereof equally. On April 11, 2005, Ballard Telephone filed a response objecting to Jackson Purchase’s motion. Ballard Telephone states that the Commission has the expertise to rule on this matter, that the rates charged cable television companies for attachments are the appropriate rates that should be charged, and that mediation would only add additional expense and delay to the proceeding. On April 21, 2005, Jackson Purchase filed a response to Ballard

Telephone's objection in which it reiterates its previous statements that it believes the parties can reach a reasonable resolution of this matter if they are given the opportunity to discuss the issues.

Having reviewed the motion and the response and being otherwise sufficiently advised, the Commission finds that a settlement conference with Commission Staff might achieve the same result without the additional expense of a mediator. Therefore, we find that Jackson Purchase's motion should be denied, that a settlement conference should be scheduled, and that the Commissioner's Hearing Officer should be in attendance and available to the parties should they wish his assistance in negotiating a resolution.

IT IS THEREFORE ORDERED that:

1. Jackson Purchase's motion is denied.
2. A settlement conference is scheduled on May 19, 2005, beginning at 1:00 p.m., Eastern Daylight Time, in Conference Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.
3. The parties are informed that the Commission's Hearing Officer will be in attendance and available to assist the parties in the settlement conference.

Done at Frankfort, Kentucky, this 28<sup>th</sup> day of April, 2005.

By the Commission

Commissioner W. Gregory Coker did not participate in the deliberations or decision concerning this case.

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end, positioned above a horizontal line.

Executive Director

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