

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ANNETTE D. CALVERT)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2005-00356
)	
U.S. 60 WATER DISTRICT)	
)	
DEFENDANT)	

O R D E R

Annette D. Calvert has filed a complaint against U.S. 60 Water District. U.S. 60 Water District has answered the complaint and has denied the Complainant's allegations that it is acting unreasonably or unlawfully in demanding an easement for a water main across her property. Finding that a procedural schedule should be established for this proceeding, the Commission, on its own motion, HEREBY ORDERS that:

1. A formal hearing in this matter shall be held on March 27, 2006 at 9:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, and continuing until completed.
2. On or before March 13, 2006, each party shall file with the Commission a list of the witnesses that it expects to call at the formal hearing and a summary of their expected testimony.
3. A telephone conference call shall be conducted on March 20, 2006 at 10:00 a.m., Eastern Standard Time, for the purpose of discussing possible settlement

and the simplification of issues. The parties shall access this call by telephoning (502) 564-3940 and requesting Extension 7098.

4. Opening and closing statements at the hearing shall be limited to five minutes.

5. Any party may, within 15 days of the filing of the hearing transcript with the Commission, submit a written brief.

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

7. Service of any document or pleading shall be made in accordance with Administrative Regulation 807 KAR 5:001, Section 3(7), and Kentucky Civil Rule 5.02.

8. As the Complainant bears the burden of proof in this matter, her failure to appear at the formal hearing and to present proof in support of her complaint may result in the dismissal of her complaint with prejudice.

9. The failure of Defendant to appear at the formal hearing may result in the entry of an Order granting the Complainant's requested relief.

Done at Frankfort, Kentucky, this 10th day of February, 2006.

By the Commission

ATTEST:


Executive Director