

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ALLEGED FAILURE OF THE CITY OF DANVILLE )  
TO COMPLY WITH KRS 278.160 AND 278.180 )  
AND THE COMMISSION'S ORDER OF ) CASE NO. 2008-00176  
AUGUST 10, 1994 IN ADMINISTRATIVE CASE )  
NO. 351 )

ORDER

Finding that parties to this proceeding have been provided with adequate time to prepare a stipulation of the facts and have failed to submit such stipulation and that a procedural schedule should be established in this matter, the Commission, on its own motion, HEREBY ORDERS that:

1. A formal hearing in this matter shall be held on March 10, 2009 at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, and shall continue until completed.
2. Commission Staff and each party may, on or before December 31, 2008, serve upon any other party an initial request for production of documents and written interrogatories to be answered by the party served no later than January 12, 2009.
3. Commission Staff and each party may, on or before January 22, 2009, serve upon any other party a supplemental request for production of documents and written interrogatories to be answered by the party served no later than February 2, 2009.

4. On or before February 16, 2009, each party shall file with the Commission in verified form the direct testimony of each witness that it expects to call at the formal hearing.

5. A telephone conference call for the parties shall be held on March 5, 2009 at 1:00 p.m., Eastern Standard Time, for the purpose of considering the simplification of issues, hearing procedures, and any other matters that may aid in the handling and disposition of this case. Parties may access the conference by telephoning (502) 564-3940 and requesting Conference Bridge 7098.

6. Direct examination of witnesses shall be limited to the authentication and adoption of their written testimony. No summarization of written testimony by the witness shall be permitted.

7. Any opening statements to be made at the hearing in this matter shall be limited to 5 minutes or less.

8. Any party may, within 15 days of the filing of the hearing transcript with the Commission, submit a written brief. Briefs shall not exceed 25 pages in length.

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

10. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

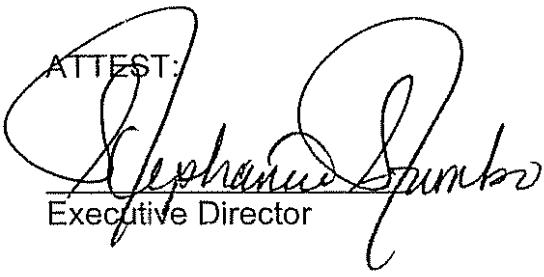
11. Copies of all documents served upon any party of record shall be served upon all other parties and filed with the Commission.

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

Done at Frankfort, Kentucky, this 19th day of December, 2008.

By the Commission

ATTEST:

  
Executive Director

John Bowling  
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City of Danville Water Dept.  
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Paul Stansbury  
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