

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JAMES S. WAYNE, INDIVIDUALLY AND AS	)	
TRUSTEE OF THE JAMES S. WAYNE LIVING	)	
TRUST	)	
V.	)	CASE NO.
	)	2009-00264
HENRY COUNTY WATER DISTRICT NO. 2	)	

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION  
TO HENRY COUNTY WATER DISTRICT NO. 2

Henry County Water District No. 2 ("Henry District"), pursuant to 807 KAR 5:001, is to file with the Commission the original and seven copies of the following information by November 18, 2009 with a copy to all parties of record. Responses shall be appropriately bound, tabbed and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Henry District shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though

correct when made, is now incorrect in any material respect. For any request to which Henry District fails or refuses to furnish all or part of the requested information, Henry District shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations.

1. Please list the names and addresses of current or former employees of Henry District who had any involvement with the 3" water line which is the subject of this complaint.

2. When did Henry District first become aware that a 3" water line was being installed across land owned by Larry Congleton ("Congleton")?

3. What discussions took place between Henry District, Congleton and the prior owner of property located at 1054 McCarty Lane in Campbellsburg, Kentucky ("Property") regarding the installation of a 3" water line on property owned by Congleton?

- a. When were these discussions?
- b. Who was present?
- c. What were the results?

4. What discussions have taken place between Henry District, Congleton and James S. Wayne ("Complainant") regarding the ownership and control of the 3" water line on property owned by Congleton?

- a. When were these discussions?
- b. Who was present?
- c. What were the results?

5. Did Henry District, at any time, make representations, promises or commitments to the Complainant regarding the 3" water line located on property owned by Congleton? If so, describe.

6. Who initiated the issue of Henry District taking over the 3" water line from Congleton?

- a. When did any discussions take place?
- b. Who was present?
- c. What were the results?

7. Provide all documentation concerning installation of the 3" line in 1997. The response should include board minutes, all correspondence, and documents filed with the Kentucky Division of Water requesting approval of the original connection.

8. What type of water service is typically provided by a 3" line?

9. What was the water service provided by the 3" water line in question when it was installed?

10. When Complainant discontinued service with Henry District, what happened to the meter that had been used by Complainant?

11. When water service is discontinued and the meter is transferred to another customer, does Henry District notify the prior customer? Why or why not?

12. Was Congleton charged a fee to have the meter previously used by the Complainant transferred to him? If so, how much? Was Congleton charged to have new water service? If so, how much?

13. When Henry District became aware of high water usage registering on the Complainant's meter, other than sending a notice to the Complainant, did Henry District make any repairs to the meter or to the water line on Henry District's side of the meter? On Congleton's side of the meter?

14. Describe any discussions or communication Henry District had with the Complainant at the time water service to the subject property was disconnected?

15. When did Henry District become aware of a dispute between the Complainant and Congleton regarding the 3" water line? Please describe the circumstances.

16. Describe any discussions between Henry District, Complainant and Congleton regarding Henry District taking over ownership and control of the 3" water line on Congleton's property? Was the Complainant's claim to the water line known at the time?

17. Was the transfer of the 3" water line done in the normal course of business by Henry District?

18. Did Henry District utilize the same process in obtaining the easement from Congleton as it had done in obtaining easements prior to this transfer? Is this the same process that would be utilized currently? If not, please explain.

19. Has the Complainant requested that water service be reconnected to the subject property? If so, when and how?

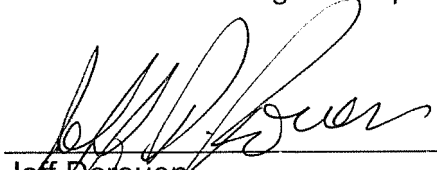
20. Has Henry District denied Complainant water service to the Property? If so, please explain.

21. Who is Ray Powell and why was the original service connection placed in his name?

22. Provide Complainant's customer agreement.

23. Refer to Work Order #5539 provided in Henry District's response dated 8/11/09. The written statement says, ". . . as requested by Mr. Wayne."

- a. How was the request made--by phone, in person, in writing, etc.?
- b. Provide all available documentation concerning the request.



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Jeff Derouen  
Executive Director  
Public Service Commission  
P. O. Box 615  
Frankfort, KY 40602

DATED: NOV - 4 2009

cc: Parties of Record

Honorable W. Henry Graddy  
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