

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BIG BEAR WASTEWATER,) CASE NO.
INC. FOR AN ADJUSTMENT OF RATES) 2009-00171

O R D E R

On April 28, 2009, Big Bear Wastewater, Inc. ("Big Bear") filed with the Commission an Alternative Rate Filing for an adjustment of rates. On September 30, 2009, The Dens Condominium Association ("The Dens") was granted full intervention. On Oct 22, 2009, the Attorney General was granted full intervention.

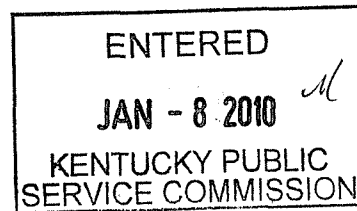
On October 29, 2009, The Dens filed a motion for leave to file a data request, the text of which was attached, upon Big Bear. The Commission held that motion in abeyance pending consideration by each party of the Commission Staff Report and a determination by the Commission of whether or not a procedural schedule should be issued. A Staff Report was issued on December 15, 2009. However, that Staff Report was withdrawn by Order dated December 17, 2009. Pursuant to that Order, the Commission is establishing a procedural schedule in this matter which includes the filing of a Commission Staff Report and a date for the parties to request a public hearing. If no request for a public hearing is filed, this matter shall stand submitted on the evidence of record.

The Commission also grants the request of The Dens that its data request be filed and has included a time to file a response in the procedural order.

The Commission, on its own motion, HEREBY ORDERS that:

1. The data request submitted by The Dens is filed.
2. The procedural schedule listed in Appendix A, attached hereto and incorporated herein, shall be followed in this case.
3. Big Bear shall respond to the Request for Information in Appendix B, attached hereto, within the time period set out in Appendix A of this Order.
4. If no party requests a public hearing by January 28, 2010, the public hearing will not be scheduled and the matter shall stand submitted to the Commission on the record.

For the Commission



ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2009-00171 DATED JAN - 8 2010

Big Bear is to file its response to the attached Commission Staff
information request no later than 1/19/10

Big Bear is to file its response to the Data Request of The Dens
no later than..... 1/19/10

Commission Staff Report shall be filed no later than 1/22/10

Parties may file responses to the Commission Staff Report
no later than..... 1/28/10

Parties are to file a statement that the party does or does not
want a public hearing no later than..... 1/28/10

Last day for Big Bear to publish notice
of hearing date To be determined

Public Hearing To be determined

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2009-00171 DATED JAN - 8 2010

Big Bear Wastewater Inc. ("Big Bear") shall file with the Commission the original and six copies of the following information, with a copy to all parties of record. Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response 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 the 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.

Big Bear 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 Big Bear fails or refuses to furnish all or part of the requested information, it shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall 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. Refer to Attachment A of the Application, Adjustment B, Owner/Manager Fee. Big Bear states that, in the test period, Richard O. Meier, Big Bear's President, was paid an owner/manager fee of \$3,600 and that Big Bear is proposing to increase the annual owner/manager fee to \$6,000.

a. Provide a detailed list of the management duties being performed by Mr. Meier.

b. Does Mr. Meier track the amount of hours he spends performing the management of Big Bear?

(1) If yes, provide documentation to support the number of hours Mr. Meier devotes to the management of Big Bear.

(2) If no, given that this is a less-than-arm's-length transaction, provide documentation to show that Mr. Meier's proposed annual salary of \$6,000 is reasonable.

2. Refer to Attachment A of the Application, Adjustment I, Administrative and General Salaries. Big Bear states that, in the test period, Janet Caldemeyer, Big Bear's Vice-President, was paid an annual salary of \$2,750 and that Big Bear is proposing to increase the annual salary to \$3,600.

a. Provide a detailed list of the administrative duties being performed by Ms. Caldemeyer.

b. Does Ms. Caldemeyer track the amount of hours she spends performing administrative duties for Big Bear?

(1) If yes, provide documentation to support the number of hours Ms. Caldemeyer devotes to the administrative duties of Big Bear.

(2) If no, given that this is a less-than-arm's-length transaction, provide documentation to show that Ms. Caldemeyer's proposed annual salary of \$3,600 is reasonable.

3. Refer to Attachment A of the Application, Adjustment E, Utility Service – Water Cost. The application states that Big Bear has not been recording water costs and that it should begin paying the minimum payment for a two-inch water line.

- a. From whom does Big Bear receive its water service?
- b. Provide a copy of a monthly water bill for Big Bear.

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