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April 13, 2004

**Via Hand-Delivery**

Mr. Tom Dorman  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
P. O. Box 615  
Frankfort, Kentucky 40602-0615

Re: Orchard Grass Utilities, Inc.;  
Joint Application for Approval of Transfer

Dear Mr. Dorman:

Please find enclosed for filing the original and 11 copies of the Motion of Orchard Grass Utilities, Inc., to Pre-File Testimony in the above referenced case. I have also included the original and 11 copies of the proposed Pre-Trial Testimony of Carroll F. Cogan. Please call me if you have any questions concerning same.

Yours truly,



Robert C. Moore

Enclosures  
cc: Carroll A. Cogan  
RCM/csc

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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COMMISSION

IN THE MATTER OF:

THE JOINT APPLICATION OF ORCHARD GRASS UTILITIES, INC.  
AND OLDHAM COUNTY SEWER DISTRICT FOR  
APPROVAL OF THE TRANSFER OF WASTE WATER  
TREATMENT FACILITIES PURSUANT TO STOCK PURCHASE  
AGREEMENT BETWEEN THE PARTIES

Case No. 2004-00029

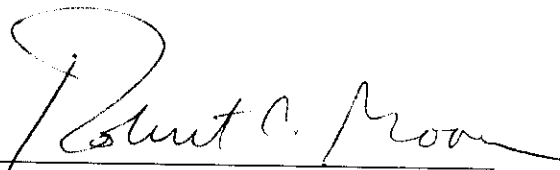
**MOTION OF ORCHARD GRASS UTILITIES, INC. TO PRE-FILE TESTIMONY**

Comes Orchard Grass Utilities, Inc., (“Orchard Grass”), by counsel, and for its Motion to Pre-File Testimony for consideration at the Formal Hearing scheduled in the above-styled proceeding on Thursday, April 15, 2004, states as follows:

The March 24, 2004, Order entered by the Public Service Commission scheduling the Formal Hearing in this case did not state whether the parties were to pre-file the testimony to be presented at said Formal Hearing. Among other things, the pre-filing of testimony allows the parties to ensure that the testimony presented is relevant to the issues to be considered by the Public Service Commission, may reduce the length of the Formal Hearing and also facilitates the preparation of the post-hearing briefs. Because of the efficiencies achieved by the filing of pre-filed testimony, Orchard Grass hereby requests permission to do so. The Pre-Filed testimony of Carroll F. Cogan was tendered to the Public Service Commission on Tuesday, April 13, 2004, so that the Commission Staff and the other parties to the proceeding would be able to review same prior to the Formal Hearing.

For the above-stated reasons, Orchard Grass requests that its Motion to Pre-File Testimony be granted.

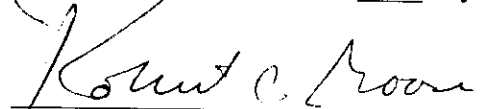
Respectfully Submitted,



Robert C. Moore  
Hazelrigg & Cox, LLP  
415 West Main Street, 1<sup>st</sup> Floor  
P.O. Box 676  
Frankfort, Kentucky 40602-0676

### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by first class mail, postage prepaid, on Edward Schoenbaechler, Hall, Render, Killian, Heath & Lyman, P.S.C., 2501 Nelson Miller Parkway, Louisville, Kentucky 40223, Robert L. Madison, 5407 Baywood Drive, Louisville, Ky., 40241-1318, and David Edward Spenard, Assistant Attorney General, 1024 Capital Center Drive, Suite 200, Frankfort, Ky., 40601-8204 on this the 15<sup>th</sup> day of April, 2004.

  
Robert C. Moore