

DAVID RUSSELL MARSHALL
ATTORNEY AT LAW

109 COURT ROW
NICHOLASVILLE, KENTUCKY 40356

TELEPHONE: (859) 885-3192
FAX: (859) 887-1557

CONFIDENTIAL ATTORNEY/CLIENT
PRIVILEGED FACSIMILE COMMUNICATION

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TO:

NAME: Mr. J.R. Goff

FAX NUMBER: 1-502-564-3460

FROM:

NAME:

Law Office of David Russell Marshall
109 Court Row
Nicholasville, Kentucky 40356

DATE: 05/26/05

TIME: 3:33 p.m.

NUMBER OF PAGES SENT: 4 (including this cover sheet)

MESSAGE:

Dear Mr. Goff:

Pursuant to our recent telephone conversation relative to my client, Troy Seale v. Jessamine-South Elkhorn Water District, under cover of this facsimile please find a Motion to Reschedule Hearing set for May 31, 2005. I have this date placed the original Motion in the mail for your signature and entry in the file. If you have any questions, please feel free to contact me. Thank you for your assistance herein.

With kindest regards, I remain

Very truly yours,

David Russell Marshall

DRM/shm

Enclosure

RECEIVED

MAY 31 2005

PUBLIC SERVICE
COMMISSION

DAVID RUSSELL MARSHALL
ATTORNEY AT LAW

109 COURT ROW
NICHOLASVILLE, KENTUCKY 40356

TELEPHONE: (859) 885-3192
FAX: (859) 887-1557

May 25, 2005

Commonwealth of Kentucky
Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, KY 40602-0615

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MAY 31 2005
PUBLIC SERVICE
COMMISSION

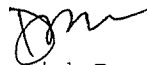
RE: Case No. 2005-00011

To Whom It May Concern:

Please file the enclosed Motion To Reschedule Hearing relative to the above referenced case. At such time as a hearing is rescheduled, I would request a court reporter be present to record the proceedings. If you have any questions, please feel free to contact me. Thank you in advance for your assistance herein.

With kindest regards, I remain

Very truly yours,



David Russell Marshall

DRM/shm

Enclosures

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RECEIVED
MAY 31 2005
PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:)
)
TROY SEALE)
)
COMPLAINANT)
)
) CASE NO. 2005-00011
V.)
)
JESSAMINE-SOUTH ELKHORN)
WATER DISTRICT)
)
DEFENDANT)

MOTION TO RESCHEDULE HEARING

Comes the Complainant, Troy Seale, by his undersigned attorney, and respectfully moves the Public Service Commission to postpone and reschedule the hearing presently scheduled herein on May 31, 2005, at the hour of 9:00 a.m. to a later date and time. Counsel for Mr. Seale has several scheduling conflicts which predated the assignment of this matter for hearing on May 31, 2005, and which preclude him from attending the May 31, 2005 hearing. Mr. Seale's undersigned attorney has contacted the Defendant's attorney, Honorable Bruce E. Smith, regarding the need to reschedule the May 31, 2005 hearing. Mr. Smith has graciously agreed not to oppose the requested postponement of the hearing as indicated by his signature inscribed below.

Should the Public Service Commission permit the requested postponement of the May 31, 2005 hearing, the undersigned attorneys have conferred regarding mutually agreeable dates to reschedule the matter. The dates on which both of the undersigned attorneys are available to conduct the hearing of this matter are on July 21st, 27th, and 28th.

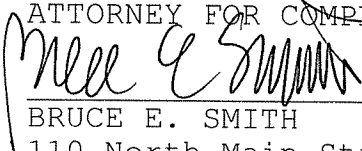
The Public Service Commission is respectfully requested to grant the requested postponement of the hearing in this matter and to reschedule the hearing on any of the above dates.

AGREED TO:



DAVID RUSSELL MARSHALL
109 Court Row
Nicholasville, Kentucky 40356
859-885-3192

ATTORNEY FOR COMPLAINANT



BRUCE E. SMITH
110 North Main Street
Nicholasville, Kentucky 40356
859-885-3393

ATTORNEY FOR DEFENDANT

HAVE SEEN:

JAMES R. GOFF
PUBLIC SERVICE COMMISSION

NOTICE

All parties will hereby take NOTICE that the foregoing MOTION will come on for hearing and consideration before the Public Service Commission at the convenience of the Commission.



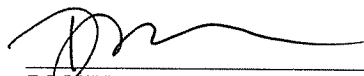
DAVID RUSSELL MARSHALL
ATTORNEY FOR COMPLAINANT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing has been served by mailing same to the following on this the 26th day of May, 2005:

Honorable Beth O'Donnell
Executive Director
Commonwealth of Kentucky
Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, Kentucky 40602-0615

Honorable Bruce E. Smith
Moynahan, Irvin & Smith, P.S.C.
110 North Main Street
Nicholasville, Kentucky 40356



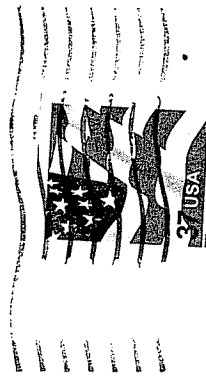
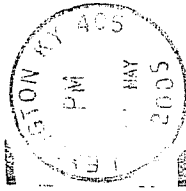
DAVID RUSSELL MARSHALL
ATTORNEY FOR COMPLAINANT

DAVID RUSSELL MARSHALL
ATTORNEY AT LAW
109 COURT ROW
NICHOLASVILLE, KENTUCKY 40356

Rice
Frost

Thompson

Team Leader



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MAY 31 2005

PUBLIC SERVICE
COMMISSION

Commonwealth of Kentucky
Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, KY 40602-0615

Attention: **Honorable James R.**

