

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In the Matter of:

ADJUSTMENT OF RATES)
OF CUMBERLAND VALLEY) CASE NO. 2005-00187
ELECTRIC, INC.)

ATTORNEY GENERAL'S AMENDED EMERGENCY MOTION TO
REQUEST SUBPOENAS ORDERING CERTAIN OF PETITIONER'S
EMPLOYEES TO SUBMIT TO DEPOSITIONS

* * * * *

Comes now the Attorney General, by counsel, and hereby moves the Commission to amend the schedule of depositions that was attached to his previously-tendered Emergency Motion for Subpoenas Requiring Certain of Petitioner's Employees to Submit to Depositions. Counsel's amended Schedule is attached hereto. In support of this motion, counsel states that said depositions must be re-scheduled in order to accommodate the schedule of counsel for petitioner.

In addition, counsel moves the Commission to re-schedule the hearing in this matter, currently scheduled for January 10, 2006, in order to accommodate the need to re-schedule the above-referenced depositions. Counsel suggests that the hearing be re-scheduled to a date at least two weeks from the previously set date. Counsel for the Attorney General, and Counsel for Petitioner conducted a phone conference on December 1,

2005 with Staff Counsel to discuss this matter, and reached agreement on all the above-referenced matters, pending the Commission's approval.

Counsel for the Attorney General also hereby move the Commission to order that Petitioner's President, Ted Hampton, be ordered to remove himself from the taking of said depositions in order that Petitioner's employees would not feel intimidated or unduly oppressed in giving their sworn testimony. During the course of said depositions, the Attorney General intends to conduct an inquiry into, but not limited solely to, certain of Petitioner's management practices. Mr. Hampton's presence could doubtlessly prevent some, if not all witnesses from providing full and complete testimony.

WHEREFORE, Counsel respectfully request that the Commission grant this motion.

Respectfully submitted,

GREGORY D. STUMBO
ATTORNEY GENERAL



Dennis G. Howard, II
Elizabeth E. Blackford
Lawrence W. Cook
Assistant Attorneys General
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601-8204
502 696-5453

AMENDED SCHEDULE FOR TAKING OF DEPOSITIONS

NAME & ADDRESS	DATE	TIME	PLACE
Joe Carroll 140 Woodland Trail Pineville, KY 40977	12/19/05	7:30 a.m.	Knox County Public Library 206 Knox St. Barbourville, KY
Robert Tolliver Hwy. 25 E Gray, KY 40734	12/19/05	9:00 a.m.	Knox County Public Library 206 Knox St. Barbourville, KY
Teresa Gregory Hwy. 25 E Gray, KY 40734	12/19/05	10:00 a.m.	Knox County Public Library 206 Knox St. Barbourville, KY
Donald Lynch Hwy. 25 E Gray, KY 40734	12/19/05	11:00 a.m.	Knox County Public Library 206 Knox St. Barbourville, KY
Randall Campbell Hwy. 25 E Gray, KY 40734	12/19/05	12:00 p.m.	Knox County Public Library 206 Knox St. Barbourville, KY
Kermit Creech Hwy. 25 E Gray, KY 40734	12/19/05	1:00 p.m.	Knox County Public Library 206 Knox St. Barbourville, KY
John Ferguson Hwy. 25 E Gray, KY 40734	12/19/05	2:00 p.m.	Knox County Public Library 206 Knox St. Barbourville, KY
Dave Taylor Hwy. 25 E Gray, KY 40734	12/19/05	3:00 p.m.	Knox County Public Library 206 Knox St. Barbourville, KY

Denise Hart Hwy. 25 E Gray, KY 40734	12/19/05	4:00 p.m.	Knox County Public Library 206 Knox St. Barbourville, KY
William McQuen Hwy. 25 E Gray, KY 40734	12/19/05	5:00 p.m.	Knox County Public Library 206 Knox St. Barbourville, KY

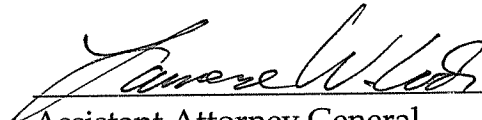
Certificate of Service and Filing

Counsel certifies that an original and seven photocopies of the Attorney General's Motion to Request Subpoenas for Depositions were served and filed by hand delivery to Beth O'Donnell, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; furthermore, it was served by mailing a true and correct copy of the same, first class postage prepaid, to

Ted Hampton
Cumberland Valley Electric, Inc.
P.O. Box 440
Gray, Kentucky 40734

Mr. Pat Houser
P.O. Box 1900
Barbourville, KY 40906

all on this 2nd day of ~~November~~ ^{December}, 2005.


Assistant Attorney General