## BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION P.O. BOX 615 FRANKFORT, KENTUCKY 40602-0615

RECEIVED

CASE NO: 2005-00280

DEC V - 2005

PUBLIC SERVICE COMMISSION

Walter Callihan and Goldie Callihan

Complainants - Plaintiffs

VS.

Grayson Rural Electric
Cooperative Corporation, et al

Defendants

## NOTICE

Walter and Goldie Callihan hereby file their Notice in the above styled action set out herein below:

Walter and Goldie Callihan had filed a Complaint before the Kentucky Public Service Commission, (KPSC), on or about August, 2005. The Callihans also filed a Motion asking the KPSC to recuse themselves from any participation in the above styled action because the KPSC was then,.... and are still now <u>defendants</u> in an Action by the Callihans against Grayson Rural Elelctric Cooperative Corporation, (GRECC), and the KPSC including all of their agents in the United States District Court at Ashland, Kentucky.

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The KPSC ignored the Motion to Recuse. Walter and Goldie Callihan also filed a Motion requesting that the KPSC order GRECC to restore their electrical power for the duration of the litigation. The KPSC ignored both said Motions and in a mock proceeding attempts now to administer. The KPSC has made the administrative remedy so harsh that the Plaintiffs can not continue in good faith to proceed any further with the KPSC because they believe they can not receive a fair hearing on December 20th, 2005.

In the most recent order by the KPSC dated November 30th, 2005.... the KPSC has deliberately ignored the Callihan's Motions once again with malicious intent to harm Walter and Goldie Callihan by failing to rule upon the Callihan's Motions. It is clear that the KPSC refuses to recognize the extreme prejudice that their serving as the arbitrator of this dispute poses. Therefore, we have no choice but to withdraw our Complaint before the KPSC and we shall seek remedy forthwith in a Court of Law represented by local counsel, James Osborne.

To reiterate, the Callihans are withdrawing their Complaint before the KPSC and it must be stricken from the docket.

Done this 30th day of November, 2005:

Walter Callihan

Goldie Callihan

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## **CERTIFICATION**

I hereby certify that a true and foregoing copy has been served by mailing and Fax to Counsel for Grayson Rural Electric Cooperative Corporation at the address below:

> Mr. Jeffrey Scott, Attorney at Law P.O. Box 608 Grayson, Kentucky 41143

> > Fax: 606-474-2130 Fax: 606-474-5862

Done this 30th day of November, 2005:

callh Isoldie calcidan Walter Callihan

Goldie Callihan