



Mark David Goss  
Chairman

Ernie Fletcher  
Governor

Teresa J. Hill, Secretary  
Environmental and Public  
Protection Cabinet

Christopher L. Lilly  
Commissioner  
Department of Public Protection

Commonwealth of Kentucky  
**Public Service Commission**  
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October 6, 2006

Donnie E. Lowery  
2025 Chrisman Mill Road  
Nicholasville, KY 40356

CERTIFICATE OF SERVICE

RE: Case No. 2005-00544  
Jessamine-South Elkhorn Water District

I, Beth O'Donnell, Executive Director of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the addressee by U.S. Mail on October 6, 2006.

A handwritten signature in black ink, appearing to read "Beth O'Donnell", written over a horizontal line.

Executive Director

BOD/jc  
Enclosure



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Honorable Bruce E. Smith  
Attorney At Law  
Moynahan, Irvin & Smith, P.S.C.  
110 North Main Street  
Nicholasville, KY 40356

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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DONNIE E. AND DELORES A. LOWERY	)	
	)	CASE NO.
COMPLAINANTS	)	2005-00544
	)	
V.	)	
	)	
JESSAMINE-SOUTH ELKHORN WATER	)	
DISTRICT	)	
	)	
DEFENDANT	)	

O R D E R

This matter is before the Commission on its own motion. On September 21, 2006, the Jessamine-South Elkhorn Water District filed correspondence indicating that water service had been restored to the Complainants' residence. On September 26, 2006, the Commission ordered the Complainants to submit, in writing, information which demonstrates that the case is not now moot. This information was to be submitted on or before October 3, 2006. The deadline for submitting said evidence has now passed and no information has been received by the Commission. Accordingly, the Commission finds that the dispute set forth in the complaint is now moot, that the hearing currently set for October 10, 2006 should be cancelled, and that this action should be dismissed without prejudice.

IT IS THEREFORE ORDERED that:

1. The hearing currently set for October 10, 2006 is cancelled.


2. This case is dismissed without prejudice as moot.

3. This is a final and appealable Order.

Done at Frankfort, Kentucky, this 6th day of October, 2006.

By the Commission

ATTEST:

  
Executive Director *for Beth O'Donnell*