



Ernie Fletcher
Governor

Mark David Goss
Chairman

Teresa J. Hill, Secretary
Environmental and Public
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Christopher L. Lilly
Commissioner
Department of Public Protection

Commonwealth of Kentucky
Public Service Commission
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Frankfort, Kentucky 40602-0615
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Jason F. Darnall
80 Judicial Drive- Unit 130
Benton, KY 42025

October 5, 2006

RE: Case No. 2006-00365

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell
Executive Director

BOD/sh
Enclosure



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Bobby K. Sirls
Water Superintendent
North Marshall Water District
56 Frankfort Road
Benton, KY 42025

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Honorable Catherine York
Deputy General Counsel
Commerce Cabinet General Counsel Office
500 Mero Street
CPT 24th Floor
Frankfort, KY 40601

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY DAM VILLAGE STATE)	
RESORT PARK,)	
KENTUCKY DEPARTMENT OF PARKS,)	
COMMERCE CABINET)	
)	
COMPLAINANT)	
)	
V.)	CASE NO. 2006-00365
)	
NORTH MARSHALL WATER DISTRICT)	
)	
DEFENDANT)	

O R D E R

In its complaint filed on July 27, 2006, Kentucky Dam Village State Resort Park, Kentucky Department of Parks, Commerce Cabinet (“Kentucky Dam Village”) requested that the Commission find that Kentucky Dam Village does not owe a late fee of \$944.38 to North Marshall Water District (“North Marshall”) by virtue of the protections set forth in KRS 45.453 and KRS 45.454. North Marshall filed its answer to the complaint on August 14, 2006, denying the allegations of Kentucky Dam Village.

The Commission, having considered the parties’ assertions, finds that the application of state laws¹ to the facts is disputed. Accordingly, the Commission, on its own motion, finds that a briefing schedule should be established.

¹ See KRS 274.160, KRS 45.453, and KRS 45.454.

IT IS THEREFORE ORDERED that:

1. Within 15 days of the date of this Order, Kentucky Dam Village shall file a brief addressing all legal arguments relevant to this matter.

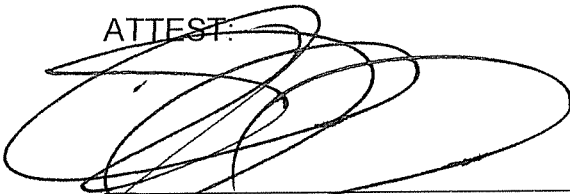
2. Within 30 days of the date of this Order, North Marshall shall file its response to the brief of Kentucky Dam Village.

3. Within 40 days of the date of this Order, Kentucky Dam Village, shall, at its discretion, file its reply to North Marshall's brief.

Done at Frankfort, Kentucky, this 5th day of October, 2006.

By the Commission

ATTEST:



Executive Director