

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Parksville Water District

v.

City of Danville

Case No. 2007-00405

RECEIVED

MAY 27 2008

PUBLIC SERVICE
COMMISSION

**Expected Testimony
for the City of Danville**

The City of Danville (“Danville”) hereby serves upon Parksville Water District (“Parksville”) a list of those it expects to call as witnesses and a brief summary of each witness’s expected testimony, pursuant to the Commission’s scheduling Order issued April 4, 2008, ¶¶ 3-4. As a preliminary matter, Danville notes that it received non-responsive answers to data requests it propounded to Parksville to obtain specifics about the contention (*see, e.g.*, Complaint ¶ 6) that charges to Parksville deviated from the contract between them. Contrary to ¶ 2(d) of the scheduling Order, Parksville provided no explanation or specific grounds for its failure to completely and precisely respond. Counsel for Danville requested a responsive answer or an explanation for the non-response and was told, variously, that the Complaint did not allege deviation from the contract or that Parksville did not have sufficient information to specify whether there was any contract violation. Apart from any question of adequate notice to Danville, the uncertainty about the allegations and unspecificity of Parksville responses to the data requests mean that Danville may need to amend or augment this list of expected testimony.

Danville expects to elicit testimony from any witness appearing on behalf of Parksville, on cross-examination and without any expectation about what such witness might say (other than the responses that have been given to its data requests). In addition, Danville expects to offer

testimony from its City Engineer, Earl Coffey. Mr. Coffey is expected to testify about the following matters:

- the calculation and application of increases to wholesale rates in 2005, 2006, and 2007;
- adjustments in rates made pursuant to Ordinance No. 1536, §3; and
- Danville's water operations, in general, and the costs thereof.

Mr. Coffey is the witness designated on Danville's Responses to Parksville Data Request Nos. 2-5, 8-11, 13, and 15, which provide a summary of his expected testimony.

Respectfully submitted,

Edward D. Hays
SHEEHAN, BARNETT, HAYS, DEAN
& PENNINGTON, P.S.C.
114 South Fourth Street
P.O. Box 1517
Danville KY 40423-1517

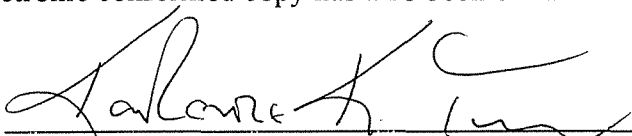
Katherine K. Yunker
YUNKER & ASSOCIATES
P.O. Box 21784
Lexington, KY 40522-1784
859-255-0629

By: 

ATTORNEYS FOR THE CITY OF DANVILLE

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this the 23rd day of May, 2008, the original and ten (10) copies of this Expected Testimony were mailed for filing with the Commission and a copy was served on counsel for the other party by first-class U.S. mail addressed to: John N. Hughes, 124 W. Todd St., Frankfort, KY 40601. As a courtesy, an electronic conformed copy has also been e-mailed to John N. Hughes and to Virginia W. Gregg.


Attorney for the City of Danville