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Vice Chairman

Linda K. Breathitt  
Commissioner

December 3, 2012

Robert C. Moore, Esq.  
Hazelrigg & Cox, LLP  
P.O. Box 676  
Frankfort, Kentucky 40602

Bruce E. Smith, Esq.  
201 South Main Street  
Nicholasville, Kentucky 40356

Re: Case No. 2011-00297  
Jessamine-South Elkhorn Water District

Gentlemen:

The enclosed memorandum has been filed in the record of the above-referenced case. Any comments regarding this memorandum's contents should be submitted to the Commission within five days of receipt of this letter. Any questions regarding this memorandum should be directed to Gerald Wuetcher, Executive Advisor/Attorney, at (502) 564-3940, Extension 259.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen".

Jeff Derouen  
Executive Director

gw  
Enclosure

INTRA-AGENCY MEMORANDUM

KENTUCKY PUBLIC SERVICE COMMISSION

TO: Case File No. 2011-00297

FROM: Gerald Wuetcher <sup>GEW</sup>  
Executive Advisor/Attorney

DATE: November 30, 2012

RE: Telephone Conference Call

On November 30, 2012, a telephone conference call was held in this case at the parties' request. A copy of the electronic mail message traffic in which arrangements for the conference are discussed is attached. Participating in the conference call were:

Robert Moore - Forest Creek, LLC  
Bruce Smith - Jessamine-South Elkhorn Water District  
Gerald Wuetcher - Commission Staff

Beginning the conference, Mr. Moore and Mr. Smith stated that the parties were still in negotiation and required additional time. They noted that settlement proposals were still pending. After some discussion, they agreed that the case should remain in abeyance until January 8, 2013 and that a telephone conference call should be held on that day to advise the Commission on the status of negotiations.

Mr. Moore and Mr. Smith also stated that the progress of negotiations may be assisted if Commission Staff provided guidance to the parties on certain critical issues. Mr. Wuetcher suggested that, if the need for such guidance occurred, the parties should advise the Commission's Executive Director by letter and request a telephone conference call with Commission Staff. He further suggested that the request identify to the extent possible the issues on which the parties would be requesting guidance. Assuming the Executive Director grants the request, Commission Staff would make arrangements for such conference call. Mr. Moore and Mr. Smith stated that their agreement with this suggestion.

The conference call then concluded.

Enclosures  
cc: Parties of Record

**From:** [Robert Moore](#)  
**To:** [Wuetcher, Jerry \(PSC\)](#); [Bruce Smith](#)  
**Subject:** RE: Forest Creek v. Jessamine South Elkhorn Water District  
**Date:** Friday, November 30, 2012 8:27:39 AM

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Bruce, Do you want me to initiate the call? Please let me know when you have a minute. Thank you. Rob Moore 113012

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**From:** Wuetcher, Jerry (PSC) [<mailto:Jerry.Wuetcher@ky.gov>]  
**Sent:** Thursday, November 29, 2012 5:02 PM  
**To:** Robert Moore; Bruce Smith  
**Subject:** RE: Forest Creek v. Jessamine South Elkhorn Water District

3:00 is the best time for me. I will be awaiting your call.

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**From:** Robert Moore [<mailto:RMoore@hazelcox.com>]  
**Sent:** Thursday, November 29, 2012 3:33 PM  
**To:** Wuetcher, Jerry (PSC); Bruce Smith  
**Subject:** Forest Creek v. Jessamine South Elkhorn Water District

Jerry, would you have time tomorrow at 10:00, 11:00 or 3:00 to speak with Bruce Smith and me about several issues arising in the above referenced case. If that would not work, Bruce and I are available on Monday, December 3, 2012 at 10:00 or 11:00. Please let us know when you have a minute. Thank you. Rob Moore 112912