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April 16, 2012

ROBERT SPRAGENS, SR. (1920-1998)

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PUBLIC SERVICE COMMISSION

U.S. MAIL-EXPRESS: EG 688302509 US

Mr. Jeffrey Derouen **Executive Director** Kentucky Public Service Commission 211 Sower Boulevard Frankfort, Kentucky 40602

Dear Mr. Derouen:

Re: PSC Case No. 2011-00314; William Allen Roberts v. Taylor County RECC

At a March 6, 2012 informal conference conducted in this matter, the staff directed the undersigned to report further upon additional communications between the parties. You will, accordingly, please find enclosed 10 copies of that required status report.

Very truly yours,

SPRAGENS & HIGDON, P.S.C.

Robert Spragens, Cóur lsel/for St., Taylor County RÉCC

RS, JR: js **Enclosures**

cc: William Allen Roberts

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

VS.

WILLIAM ALLEN ROBERTS

COMPLAINANT

CASE NO. 2011-00314

TAYLOR COUNTY RURAL ELECTRIC COOPERATIVE CORPORATION

DEFENDANT

STATUS REPORT TO COMMISSION

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On March 6, 2012, the parties appeared for an informal conference with the Commission staff. During the course of those discussions, it appeared possible that the parties might, through further negotiation, agree upon the methodology of going forward for the purpose of acquiring rights of way and achieving service from Defendant's existing system to the property of Complainant. The Commission staff thus directed the parties to meet and confer further, and to report to the Commission the result of their further communications.

The parties did meet again on March 13, 2012, at the Adair County Judicial Center, at which time the Complainant, William Allen Roberts, Barry Myers, Manager of Taylor County RECC, and the undersigned counsel for Taylor County RECC, discussed various proposals for going forward with a project which would result in extension of service to the property of Complainant. Those various proposals included cost-sharing options which Complainant, at the conclusion of that meeting, agreed to discuss with his

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spouse and report to the undersigned whether any of those proposals might be made the subject of a formal agreement which would be submitted as a part of this proceeding.

William Allen Roberts has now reported to the undersigned counsel that he and his wife did, in fact, consider all of those matters which were discussed at the meeting of the parties on March 13th; and that they reviewed anew their plans with respect to their property to which service is to be provided, that property now including a partiallycompleted cabin. The result of those discussions was that the Robertses determined that it was not economically feasible for them to go forward with the cabin project. Inasmuch as the Robertses had before them a purchase offer for that property, they thus decided to accept that purchase offer and, on Thursday, April 5, 2012, they closed the sale of their subject property to a young man who, purely by coincidence, is an employee of Taylor County RECC, and who is thus completely aware of the difficulties which have been encountered in providing for extension of service to the subject property. It is obviously the belief of this purchaser that, given his relationship with other property owners in the area, he will be able to eliminate the acrimony among neighbors about which the staff heard discussion at the informal conference, and that Taylor County RECC will thus be able to acquire, by negotiation, easements necessary to extend service to the property in question.

In light of the sale by the Robertses of the subject property, it would appear appropriate that the within proceeding be dismissed.

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Respectfully submitted,

SPRAGENS & HIGDON, P.S.C. Attorneys at Law 15 Court Square - P. O. Box 681 Lebanon, Kentucky 40033 Telephone (270) 692-3141

By

Robert Spragens /Jr., Counsel for Taylor County Rural Electric Cooperative Corporation

I hereby certify that a true copy of the foregoing was mailed this $\frac{10^{-1}}{10^{-1}}$ day of April, 2012, to:

William Allen Roberts 4078 Snake Creek Road Columbia, KY 42728 **Complainant**

Røbert Spragens, J