

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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OCT 02 2012

In the Matter of:

APPLICATION OF BIG SANDY WATER DISTRICT)
FOR AN ADJUSTMENT IN RATES PURSUANT TO)
THE ALTERNATIVE RATE FILING PROCEDURE)
FOR SMALL UTILITIES)

PUBLIC SERVICE
COMMISSION
CASE NO. 2012-00152

RESPONSE AND NOTICE

Comes the Big Sandy Water District, by counsel, and for its Response to the Motion for Extension and Notice filed by Overland Development, Inc., states as follows:

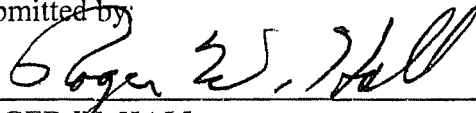
Overland Development, Inc. ("Overland") has moved the Commission for a hearing on an attempt to intervene in the above-styled matter and the Commission granted same by Order entered September 17, 2012. The Commission set an informal conference for October 5, 2012, at 10:30 a.m. In addition, Overland was ordered to file with the Commission no later that September 28, 2012, ". . . a position statement setting forth its reasons why the present wholesale rate is unreasonable and why the contract rate that existed prior to August 24, 2012, should be reinstated." To date no such position statement has been received by Big Sandy Water District. What has been received is Overland's Motion for Extension and Notice.

The motion states that because a conference has already been scheduled, should the Commission sustain its motion ". . . there will be no delay in the case and no additional action required of the Commission or the Applicant." Of course the Big Sandy Water District will not have been advised of the specifics by Overland as ordered by the Commission. The District had intended to be physically present on October 5, 2012, however, at this juncture the District is advising the Executive Director that it will participate in the conference by telephone. The District is already operating at a deficit and cannot afford to send people to Frankfort particularly when Overland has

not provided a position statement as ordered. Further, it seems apparent from the wording of Overland's motion that there is no specific time for an extension requested by Overland and that a position statement may or may not be available to the District prior to the hearing.

WHEREFORE, for the foregoing, Big Sandy Water District prays the Commission to overrule Overland's Motion for Extension, renews its Motion to Vacate the Commission's Order entered September 17, 2012, and for such other relief as the Commission may deem necessary..

Submitted by



ROGER W. HALL

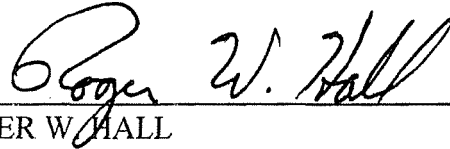
P.O. BOX 2008

ASHLAND, KY 41105-2008

606-329-1919

Attorney for Big Sandy Water District

I certify a copy of this response and notice was sent by facsimile to John N. Hughes, 124 West Todd Street, Frankfort KY 40601, facsimile 502 875-7059, and PSC, facsimile 502 564-3460 on October 2, 2012.



ROGER W. HALL