



STOLL
KEENON
OGDEN

300 WEST VINE STREET
SUITE 2100
LEXINGTON, KY 40507-1801
MAIN: (859) 231-3000
FAX: (859) 253-1093

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COMMISSION

MONICA H. BRAUN
DIRECT DIAL: (859) 231-3903
DIRECT FAX: (859) 253-1093
Monica.Braun@skofirm.com

December 10, 2012

Jeff Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40601

RE: *In the Matter of: Application of Jessamine-South Elkhorn Water District for a Certificate of Public Convenience and Necessity to Construct and Finance a Waterworks Improvement Project Pursuant to KRS 278.020 and 278.300 – Case No. 2012-00470*

Dear Mr. Derouen:

Enclosed please find and accept the original and ten copies of Forest Hills Residents' Association, Inc.'s and William Bates' Objections to the First Set of Data Requests propounded by Jessamine-South Elkhorn Water District.

Please acknowledge receipt of this filing by placing the stamp of your Office with the date received on the enclosed additional copy and return them to me. Should you have any questions please contact me at your convenience.

Sincerely,

Stoll Keenon Ogden PLLC

Monica H. Braun

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JESSAMINE-SOUTH ELKHORN WATER DISTRICT
CASE NO. 2012-00470
FOREST HILLS RESIDENTS' ASSOCIATION, INC.'S AND WILLIAM BATES
RESPONSE TO JESSAMINE-SOUTH ELKHORN WATER DISTRICT'S
FIRST REQUEST FOR INFORMATION

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Witness: **Counsel**

4. Please provide the rationale, basis and support, including any existing study, investigation or other inquiry that the Intervenor have conducted, commissioned, or reviewed, for any or all of the Intervenor's allegations that:

- a. The proposed water tank is not needed;
- b. The proposed water tank is excessive in size to meet current and future needs of the JSEWD system;
- c. The proposed site for the water tank is inappropriate other than that it is adjacent or adjoining the Subdivision;
- d. The proposed water tank is wastefully duplicative;
- e. A superior alternative exists to the proposed tank that is technically superior, less costly, and more efficient than the proposed water tank;
- f. System operation characteristics on the JSEWD system have changed so significantly since 2003 such that the proposed site is no longer unreasonable;
- g. If no such study, investigation or inquiry exists, please so state.

Response:

Objection. The production of studies, investigations, or other inquiries that Intervenor have conducted, commissioned or reviewed necessarily requires Intervenor to reveal the contents of materials prepared in anticipation of or as a result of this proceeding, which is protected from disclosure by the work product doctrine. Without waiving this objection, on December 11, 2012, Intervenor will provide responsive information not protected by the work product doctrine

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6. Please state whether the Intervenors have contacted, discussed or otherwise sought advice from any other person or entity with respect to this proposed project. If so, please identify the person or entity; whether such person or entity has been engaged as a consultant; or whether such individual or entity has an interest in this proceeding that has not heretofore been disclosed.

Response:

Objection. Revealing the names of the persons or entities that Intervenors have engaged as a consultant in this proceeding necessarily requires Intervenors to reveal the contents of information prepared in anticipation of or as a result of this proceeding, which is protected from disclosure by the work product doctrine. If any person or entity that Intervenors have engaged as a consultant will be called as a witness to testify in this matter, Intervenors will supplement this response. Without waiving this objection, on December 11, 2012, Intervenors will provide responsive information not protected by the work product doctrine.

Dated: December 10, 2012

Respectfully submitted,

Robert M. Watt, III
Monica H. Braun
Stoll Keenon Ogden PLLC
300 West Vine Street, Suite 2100
Lexington, Kentucky 40507
859-231-3000
robert.watt@skofirm.com
monica.braun@skofirm.com

By: Monica H. Braun
Counsel for Intervenors

CERTIFICATE OF SERVICE

This is to certify that the foregoing pleading has been served by e-mail and by mailing a copy of same, postage prepaid, to the following person on this the 10th day of December 2012:

Bruce E. Smith, Esq.
Bruce E. Smith Law Offices, PLLC
201 South Main Street
Nicholasville, Kentucky 40356
bruce@smithlawoffice.net

W. Randall Jones, Esq.
Rubin & Hays
Kentucky Home Trust Building
450 South Third Street
Louisville, Kentucky 40202
wrjones@rubinhays.com

Monica H. Braun
Counsel for Intervenors