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NICHOLSON
LAW OFFICE

JAMES C. NICHOLSON
ATTORNEY AT LAW

Judge 1978-2000

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January 3, 2013

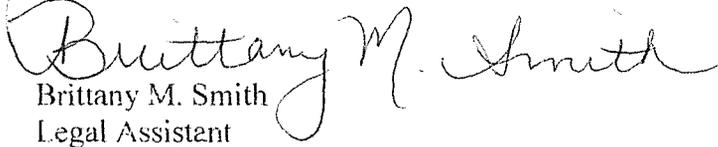
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

Re: Ted Dwenger and Santa Cruz Cattle Co., Inc., *Complainant* vs. Henry County Water
District #2, *Defendant*

To Whom It May Concern:

Please find enclosed the original Complaint and 10 copies to be filed with your office.
Should you have any questions please contact our office.

Sincerely,


Brittany M. Smith
Legal Assistant

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION
CASE NO: 2013-00019

In the matter of:

TED DWENGER AND)
SANTA CRUZ CATTLE COMPANY, INC.)
)
COMPLAINANT)
VS.)
)
HENRY COUNTY WATER DISTRICT #2)
)
DEFENDANT)

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COMPLAINT

The complaint of Theodore J. Dwenger and Santa Cruz Cattle Company, Inc. respectfully shows:

(a) Theodore J. Dwenger and Santa Cruz Cattle Company, Inc.
(Your Full Name)

9549 Sulphur Road, Sulphur, KY 40070
(Your Address)

(b) Henry County Water District #2
(Name of Utility)

8955 Main Street, Campbellsburg, KY 40011
(Address of Utility)

(c) That: the Commission's August 4, 1998 Order in Case No. 96-479
(Describe here, attaching additional sheets if necessary,

determined that Henry County Water District #2 was required to establish
the specific act, fully and clearly, or facts that are the reason

water service for the Complainants' property, with the location of such
and basis for the complaint.)

service to be determined in Henry Circuit Court Civil Action 95-CI-00109.

Formal Complaint

Theodore J. Dwenger, et. al. vs. Henry County Water District #2

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The Court, following a jury trial, determined the location of such water service to run beneath the property of Hans Kallenberger (the Complainant in 96-479). A dispute has now arisen between the Complainant and Henry County Water District #2 concerning the ownership of the water line beneath the Kallenberger property and the future obligation to maintain such water line.

Wherefore, complainant asks that the Commission make a determination of (Specifically state the relief desired.) whether the Henry County Water District #2 will own and must maintain the subject water line within the easement area beneath the property of Hans Kallenberger.

Dated at Louisville, Kentucky, this 3rd day of January, 2013



THEODORE J. DWENGER,
individually and as President of
Santa Cruz Cattle Company, Inc.



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Co-Counsel for Complainants