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November 13, 2013

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**PUBLIC SERVICE  
COMMISSION**

Public Service Commission  
P. O. Box 615  
Frankfort, KY 40602-0615

Re: Roy G. Cooksey, M.D. v. Warren County Water District  
Case No. 2013-00109

Gentlemen:

Enclosed are an original and ten copies of *Complainant's Supplemental Requests for Information to the Defendant, Warren County Water District*, to be filed in the above-referenced proceeding.

Thank you for your assistance.

Very truly yours,

ENGLISH, LUCAS, PRIEST & OWSLEY, LLP

Keith M. Carwell

jhs

Enclosures

cc: Dr. Roy G. Cooksey  
800 Wakefield  
Bowling Green, KY 42101

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**PUBLIC SERVICE  
COMMISSION**

**COMMONWEALTH OF KENTUCKY**

**BEFORE THE PUBLIC SERVICE COMMISSION**

IN THE MATTER OF

ROY G. COOKSEY, M.D.,  
COMPLAINANT

VS.

CASE NO. 2013-00109

WARREN COUNTY WATER DISTRICT,  
DEFENDANT

**COMPLAINANT'S SUPPLEMENTAL REQUESTS FOR INFORMATION  
TO THE DEFENDANT, WARREN COUNTY WATER DISTRICT**

The Complainant, Roy G. Cooksey, M.D., by counsel, propounds the following Supplemental Requests for Information to the Defendant, Warren County Water District. The responses to the Supplemental Requests for Information shall be filed with the Kentucky Public Service Commission and served upon the Complainant by 5 December 2013.

**PREAMBLE**

**Definitions**

As used herein:

1. "You" refers to the Defendant, Warren County Water District, its agents, representatives and/or other persons acting or purporting to act on its behalf.

2. "Identify" means as follows:

a) When used in reference to a person, to state his full name, present or last known address, present or last known telephone number, present or last known place of employment and position held, and place of employment and position held at the time in question;

b) When used in reference to a document, to state the date, author, type of document (e.g., letter, memorandum, photograph, telegram, tape recording, etc.), the person or persons to whom it or copies of it were sent, received or otherwise distributed, the manner and means by which it was sent, received or otherwise distributed, and the present or last known location and custodian of the original of the document and any copies thereof. If any such document was, but is no longer, in your possession or custody or subject to your control, state what disposition was made of it, the date, by whom and at whose direction;

c) When used in reference to a communication, to state the type of communication (i.e., letter, personal conversation, meeting, etc.), and whether the communication was oral or in writing. If the communication was oral, state the date of the communication, the parties thereto, the place and approximate time thereof, the substance of what was said by each party and the identity of all persons present. If the communication was written, set forth the information requested in Definition 2(b) above;

d) When used in reference to an act or event, to state the substance of the act or event, the date, time and place of performance, and identity (as defined in Definition 2(a) above) of the actor and all other persons present;

e) When used in reference to an omission, to state the substance of the act which you contend should or would have been performed, the time when such act should or would have been performed, the place where such act should or would have been performed and the identity (as defined in Definition 2(a) above) of the person who should or would have performed such act.

f) When used in reference to a date, to state a month, day and year upon which the fact, communication, act or omission continued, and the month, day and year upon which the fact, communication, act or omission ended. Any interval of time shall be designated by a beginning month, day and year and an ending month, day and year.

3. "Document" shall mean any written, printed, typed or other graphic matter of any kind or nature or any writing which is in your possession, care, custody or control or known by you to exist. It shall also mean all copies of documents by whatever means made, including any non-identical copy (whether different from the original because of handwritten notes, underlining on the copy, blind carbon copy or otherwise). This definition includes documents with respect to which you may assert any privilege.

4. "Complaint" means the Verified Petition filed by the Plaintiff in this action, and all amendments thereto.

5. The unqualified term, "person" shall mean an individual, corporation, partnership, unincorporated association, or business or governmental entity.

6. The term "Complainant" means Roy G. Cooksey.

## **SUPPLEMENTAL REQUESTS FOR INFORMATION**

1. Identify the person responsible for the preparation of the response to the Supplemental Requests for Information setting forth such person's name, official position with the Defendant and business address.
2. What is your definition of the term "jurisdictional limits" as set forth in the reciprocal resolution of the Board of Commissioners of the Warren County Water District dated 29 August 2006?
3. What is your definition of the term "sewer service area"?
4. What is your definition of the term "jurisdictional sewer service area"?
5. Are the sewer service areas as set forth in the resolution referred to in Request No. 2 areas presently receiving sewer service or are they proposed areas for sewer service in the near future?
6. Are the sewer service areas adopted areas where both Warren County Water District and Bowling Green Municipal Utilities have regulatory jurisdiction?
7. What obligations do you have with respect to supplying water and sewer service in your water service area and sewer service area?
8. Do you take the position that the providing of utility services by you is confined to the territorial boundaries of the Warren County Water District?
9. Is your jurisdictional and regulatory authority bounded by sewer service area boundaries or your territorial boundaries?

10. How many individual sewer service areas and water service areas are presently within your territorial limits?

11. What are the boundaries of the sewer service area which includes the front thirty (30) acres of the Complainant's farm on Lovers Lane?

12. Is there any specific legislation authorizing you to assign to another utility jurisdictional authority to sewer service areas?

13. Was the reciprocal resolution of the Board of Commissioners of the Warren County Water District referred to in Request No. 2 a planning suggestion or recommendation for the sewer update plan or do you take the position that it is an enforceable regulatory document?

14. Prior to adopting the reciprocal resolution referred to in Request No. 2, was notice given to the public or to the property owners impacted and were they given an opportunity to address the Board of Commissioners prior to adoption of the reciprocal resolution?

15. Was the action by you in adopting the sewer service boundaries set forth in the reciprocal resolution described in Request No. 2 above submitted for approval by the Public Service Commission; and, if so, please provide a copy of the submission and the decision of the Public Service Commission with respect thereto?

16. Was the action by you in adopting the sewer service boundaries set forth in the reciprocal resolution described in Request No. 2 above submitted for approval by the County Judge/Executive of Warren County or the Warren County Fiscal Court?

17. Did the establishment of the sewer service area to be served by BGMU increase or decrease your sewer jurisdictional area?

18. What are the boundaries of the sewer service area for the Lovers Lane sewer line extension?

19. Is the Lovers Lane sewer line extension project described and included as a proposal in your most recent sewer update plan?

20. Is the division of the Complainant's farm on Lovers Lane into two (2) sewer service areas (one for the Defendant and one for Bowling Green Municipal Utilities) described in your most recent sewer update plan?

21. What is the distance from the current Lovers Lane sewer line which serves the front thirty (30) acres of the Complainant's farm to the rear portion of Complainant's farm which is located in the Bowling Green Municipal Utilities' sewer service area?

ENGLISH, LUCAS, PRIEST & OWSLEY, LLP  
1101 College Street, P. O. Box 770  
Bowling Green, Kentucky 42102-0770  
Phone: (270) 781-6500  
E-Mail: [kcarwell@elpolaw.com](mailto:kcarwell@elpolaw.com)  
Attorneys for Complainant,  
Roy G. Cooksey, M.D.

BY:   
\_\_\_\_\_  
KEITH M. CARWELL

This is to certify that the original and ten copies of the foregoing **COMPLAINANT'S SUPPLEMENTAL REQUESTS FOR INFORMATION TO THE DEFENDANT, WARREN COUNTY WATER DISTRICT**, was mailed to:

Public Service Commission  
P. O. Box 615  
Frankfort, KY 40602-0615

and a copy was mailed to:

Frank Hampton Moore, Jr.  
COLE & MOORE, P.S.C.  
P. O. Box 10240  
Bowling Green, KY 42102-7240  
Attorney for Warren County Water District

This 13 November 2013.

  
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KEITH M. CARWELL

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