



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

Linda K. Breathitt
Commissioner

January 24, 2014

Keith M. Carwell, Esq.
English, Lucas, Priest & Owsley
1101 College Street
P.O. Box 770
Bowling Green, Kentucky 42102

Frank H. Moore, Esq.
Matthew P. Cook, Esq.
Cole & Moore, PSC
921 College Street - Phoenix Place
Bowling Green, Kentucky 42102-7240

Mr. John Dix
Warren County Water District
523 US Highway 31W Bypass
P.O. Box 10180
Bowling Green, KY 42102-4780

Re: Case No. 2013-00109
Cooksey v. Warren County Water District

VIA ELECTRONIC MAIL

Gentlemen:

The enclosed memorandum has been filed in the record of the above-referenced case. Any comments regarding this memorandum's contents should be submitted to the Commission within five days of receipt of this letter. Any questions regarding this memorandum should be directed to Gerald Wuetcher, Executive Advisor/Attorney, at (502) 782-2590.

Sincerely,

Jeff Derouen
Executive Director

gw
Enclosure

INTRA-AGENCY MEMORANDUM
KENTUCKY PUBLIC SERVICE COMMISSION

TO: Case File No. 2013-00109

FROM: Gerald Wuetcher **GEW**
Executive Advisor/Attorney

DATE: January 24, 2014

RE: Telephone Conference of December 20, 2013

Pursuant to the Commission's Order of August 1, 2013, Commission Staff conducted a telephone conference in this matter on December 20, 2013, to discuss procedural issues. The conferees were: Gerald Wuetcher (Commission Staff); Keith M. Carwell (Roy M. Cooksey); and Frank Hampton Moore (Warren County Water District).

Beginning the conference, Mr. Wuetcher stated that Commission Staff would prepare minutes of the conference for the case record, that a copy of the minutes would be provided to all parties, and that all parties would be given an opportunity to submit written comments upon those minutes.

Mr. Wuetcher noted that the parties had not followed the established procedural schedule in this matter and that, although the time for completion of discovery and the filing of testimony had passed, a discovery request remained unanswered and no party had yet filed written testimony. Mr. Cardwell and Mr. Moore agreed that all discovery requests should be answered and filed with the Commission no later than January 3, 2014. They stated that the principal issues in dispute were legal, not factual, and that the parties could stipulate the facts to avoid the need for written testimony. They further stated that the matter could be submitted for decision based upon the stipulation of facts and written briefs and without a hearing.

After further discussion, the conferees agreed to modifications of the existing procedural schedule to produce the following procedure schedule:

01/17/2014	-	Submission of Stipulation of Facts
02/17/2014	-	Submission of Initial Briefs
02/28/2014	-	Submission of Rebuttal Briefs

Upon submission of rebuttal briefs, the matter would stand submitted for decision. Mr. Wuetcher agreed to submit this proposal to the Commission for its consideration.

The conference then adjourned.