

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
CASE #: 2017-00120

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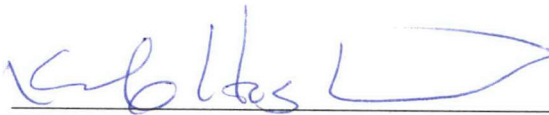
POLLITT ENTERPRISES, INC.
WHITNEY CLARK POLLITT, INDIVIDUALLY
AMANDA DEEANN POLLITT, INDIVIDUALLY
BASIL C. POLLITT, INDIVIDUALLY
D/B/A THE GAS GROUP, INC.
A/K/A THE GAS GROUP

OBJECTION TO SUBPOENA ISSUED TO
JASON SHARP

Come the Respondents, The Gas Group/Basil Pollitt, by counsel, and do hereby object to the subpoena issued to Jason Sharp, Registered Agent of Southern Kentucky Energy, LLC, and in support of same state as follows:

A subpoena was issued and "served" electronically upon Jason Sharp. The subpoena indicates it is served on Sharp in his capacity as the registered agent of Southern Kentucky Energy. The subpoena itself however indicates that it is directed at Sharp in his individual capacity as a fact witness.¹ The subpoena was issued and "served" electronically on 8-7-17 at 4:12 p.m. and commands Sharp's appearance at a hearing scheduled for 8-9-17 at 9:00 a.m. in Frankfort, KY. The Gas Group verily believes that Sharp is not a Kentucky resident thus there is no authority to command his appearance via a subpoena. Moreover, the time available to Sharp to comply with the subpoena is unreasonable. Finally, there is no basis for service of a subpoena on a non party via electronic means. The subpoena represents to Sharp that his attendance/compliance is required when there is not authority for this. For these reasons Pollitt objects to the 11th hour subpoena.

¹The subpoena further directs Sharp to produce certain documents.



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CERTIFICATE OF SERVICE

It is hereby certified that the original and ten copies of this this document were filed at the Office of the Public Service Commission, 211 Sower Blvd., Frankfort, KY 40602-0615 in conjunction with the 8-9-17 hearing. It is further certified that a copy of this document was sent via U.S. Mail to Nancy Vinsel, Counsel for PSC, P.O. Box 615, 211 Sower Blvd., Frankfort, KY 40602-0615 this 8th day of August, 2017. It is hereby further certified that a copy of this document was mailed to the Office of Attorney General, c/o Kent Chandler/Rebecca Goodman/Justin McNeil, Assistant Attorney General, Office of Rate Intervention, 700 Capital Avenue, Suite 20, Frankfort, KY 40601 this 8th day of August, 2017. It is further certified that courtesy copies were sent to the PSC c/o Nancy Vinsel ('nancy.vinsel@ky.gov') and Office of Attorney General c/o Kent Chandler/Rebecca Goodman/Justin McNeil ('Kent.Chandler@ky.gov', 'Rebecca.Goodman@ky.gov' and 'Justin.McNeil@ky.gov') this 8th day of August 2017.



Kirk Hoskins