

**C. MICHAEL WELDON**  
*Attorney-at-Law*  
250 Delido Court  
Punta Gorda, Florida 33950  
941.639.1513  
October 18, 2004

RECEIVED

OCT 21 2004

PUBLIC SERVICE  
COMMISSION

*cmichaelweldon@earthlink.net*

Licensed in Kentucky

Ms. Elizabeth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602

Re: Case No. 2004-00331  
Joint Application of Berea  
And Berea College to  
Transfer Utility Assets

Dear Ms. O'Donnell:

Enclosed please find copies of my letter of this date to Hon. James H. Newberry, Jr., copied to all counsel and interested parties, responding to his concern that there be no scheduling delays in this proceeding caused by the Motion of my client, Southern Madison Water District, to Intervene as a full party.

Although not a formal pleading, I wish to make the position of my client, that we neither plan, nor wish to cause, any delay in this proceeding, a matter of record. Accordingly, please file the enclosed letter in your official Record in this matter.

Thank you for your assistance.

Sincerely,



C. MICHAEL WELDON

cc:

Hon. James H. Newberry, Jr.,  
Hon. Noelle M. Holladay  
Hon. David Spenard,  
Hon. Elizabeth Blackford  
Hon. J.T. Gilbert  
Hon. Judge B. Wilson, II

**C. MICHAEL WELDON**  
*Attorney-at-Law*  
250 Delido Court  
Punta Gorda, Florida 33950  
941.639.1513  
October 18, 2004

RECEIVED

OCT 21 2004

PUBLIC SERVICE  
COMMISSION

*cmichaelweldon@earthlink.net*

Licensed in Kentucky

Ms. Elizabeth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602

Re: Case No. 2004-00331  
Joint Application of Berea  
And Berea College to  
Transfer Utility Assets

Dear Ms. O'Donnell:

Enclosed please find copies of my letter of this date to Hon. James H. Newberry, Jr., copied to all counsel and interested parties, responding to his concern that there be no scheduling delays in this proceeding caused by the Motion of my client, Southern Madison Water District, to Intervene as a full party.

Although not a formal pleading, I wish to make the position of my client, that we neither plan, nor wish to cause, any delay in this proceeding, a matter of record. Accordingly, please file the enclosed letter in your official Record in this matter.

Thank you for your assistance.

Sincerely,

  
C. MICHAEL WELDON

cc:

Hon. James H. Newberry, Jr.,  
Hon. Noelle M. Holladay  
Hon. David Spenard,  
Hon. Elizabeth Blackford  
Hon. J.T. Gilbert  
Hon. Judge B. Wilson, II

RECEIVED

OCT 21 2004

PUBLIC SERVICE  
COMMISSION

**C. MICHAEL WELDON**  
*Attorney-at-Law*  
**250 Delido Court**  
**Punta Gorda, Florida 33950**  
**941.639.1513**  
October 18, 2004

*cmichaelweldon@earthlink.net*

**Licensed in Kentucky**

Hon. James H. Newberry, Jr.  
Wyatt, Tarrant & Combs, LLP  
Lexington Financial Center  
250 West Main Street, Ste. 1600  
Lexington, KY 40507-1746

**Re: The Matter of the Joint  
Applicants' Application in  
Case No. 2004-00331**

**Dear Mr. Newberry:**

I have received, and thank you for, a copy of your Response to my Motion to Intervene on behalf of my client, Southern Madison Water District. I do not believe that any sort of responsive pleading is appropriate **to your Response, as my review of the entire Record, as well as our longstanding, excellent relationship with Berea College, a similar relationship which we look forward to with the City of Berea, and your Response give me no reason to anticipate my client taking a position adverse to any relief sought by the Joint Applicants.**

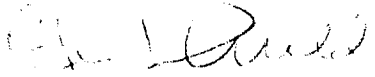
**However, I wish to state for the Record our position regarding your sole stated concern, delay. Therefore, I have asked Ms. O'Donnell to file her copy of this letter in the Commission's Record.**

We fully appreciate your concern for delay, and it is the second-to-last thing that we would wish to see. The last thing is that any unanticipated action, adverse to my client, be taken, without the opportunity for my **client to be heard due to our not being kept fully informed in a timely fashion; or our missing information or opinions, which might be important to us but which do not make it into the Record. In my experience, participation as a full party is the best way to minimize the likelihood of either. By way of example, I find no Procedural Order, to which I see subsequent reference, in the Record; likewise, I see no Order scheduling the November 23, 2004 conference (which I learned of during a telephone conference with Commission legal staff and which I understand may have been scheduled through e-mail). Neither of these things has caused us any prejudice, but I most fear the unknown future and I would expect to receive such information as a full party.**

**Regarding delay of the November 23, 2004 hearing, we foresee no reason to delay that hearing and hereby request that no such delay occur. However, it was my understanding from my conference with Commission legal staff that November 23, 2004 was scheduled merely to secure a place on the Commission's Docket, in the event any matter required hearing and, if not, the hearing would be cancelled. We do not plan to request that any matter be heard on that or any other Docket, based upon the Record.**

**I have had the opportunity to discuss our positions, as set forth hereinabove, informally with Msrs. Gilbert and Wilson. If there is anything, at all, that you would like to discuss with me or my client, we would be most happy to do so.**

Sincerely,



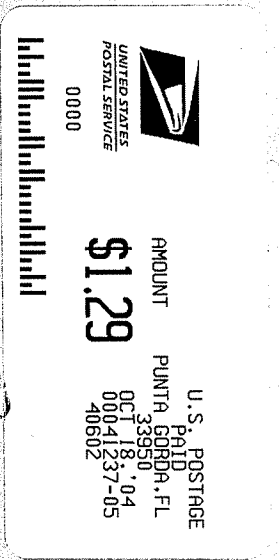
C. MICHAEL WELDON

cc:

Ms. Elizabeth O'Donnell,  
Hon. Anita Mitchell  
Hon. David Spenard,  
Hon. Elizabeth Blackford  
Hon. J.T. Gilbert  
Hon. Judge B. Wilson, II

MICHAEL WELDON  
*Attorney-at-Law*  
50 Delido Court  
Punta Gorda, FL 33950

Ms. Beth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602-0615



U.S. POSTAGE  
PAID  
PUNTA GORDA, FL  
00041237-05  
40602

AMOUNT  
**\$1.29**

0000

UNITED STATES  
POSTAL SERVICE

OCT 21 2004  
PUBLIC SERVICE  
COMMISSION

10  
100  
100