

Commonwealth of Kentucky
Before The Service Commissions
Case No. 2006-00495

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PUBLIC SERVICE
COMMISSION

Walter Callahan

Complainant

vs.

Crayson Rural Electric
Cooperative Corporation

Defendant.

Motion

Comes now Walter Callahan and files his motion as set out here-in below:
In the above style case a Complaint has been filed by Walter Callahan, referred to here and after as Callahan and also answer has been filed to said complaint and a response filed to the answer filed by the defendant Crayson.

The Plaintiff's Complaint stands self-explanatory upon its own face and the defendant in their answer raises no denial that Crayson's contentions that Callahan

owed them an alleged Electric Bill, Grayson does not deny the fact that Grayson contends that Callihan owes them. They do not deny that the alleged bill is more than 4 years old closer to 5 yrs. Since Grayson's failure to argue that the alleged bill is less than 4 yrs old, leaves no material fact for this Commission to hold hearings to establish whether or not the statute of limitations has expired. Where the complaint states that the alleged bill is more than 4 yrs old, therefore Grayson is barred by the statutes and laws of the Commonwealth of Ky, whereby they have no grounds to bring an action in state courts for their alleged bill and the Public Service Commission, certainly is no agency whereby they could award Grayson a money judgment under Ky law.

Callihan moves this Commission

for an order forthwith that orders
Crayson Rural Electric Cooperative
Company to commence serving
Walter Callahan with electric
Service. The winter is cold, Walter
Callahan and his wife are approaching
their 80^s. It is ironic to know that
Crayson Rural Elec. and the Ky
Public Service Commission has
gone to such great lengths to
prevent Walter Callahan and his
wife Colbie from receiving electricity
merely because they are Jewish.
Please rule forthwith so we get
an order ordering Crayson to
commence serving Callahan with electricity
or so Callahan can appeal to the
Franklin Circuit Court to obtain
relief. Callahan hereby seeks
immediate relief from the Public
Service Commission.

Respectfully
Walter Callahan
Walter Callahan

I hereby certify that a true and
correct copy has been served
by making this _____ of December
2006

Walt Kelly

①

Commonwealth of Kentucky
Before the Public Service Com.
Case no. 2006-00495

Walter Callihan

Complainant

vs.

Grayson Rural Electric
Cooperative Corporation

Defendant

Comes now the Complainant Walter Callihan and hereby files his response to Grayson's answer as set out here-in as follows:

I Response to answer number I. Answer, what is the proper request? If proper request was not made why did Grayson Rural Electric not advise the Complainant Walter Callihan as to the proper procedure Therefore Grayson failed to advise as to the proper procedure.

II, Response to answer no II. of Grayson Rural Electric's Answer:
Seperate entity has no relevance to said complaint in the above style complaint.

III Response to answer no III:

Not relevant to immediate complaint

IV Response to answer no IV:

No legal debt exists by the Complainant to the defendant (Grayson).

V. Response to answer no. V:

It was the obligation of Grayson Rural Electric as a plaintiff claiming that Mr. Callihan owed them, if in fact Grayson truly thought Callihan owed them, a remedy was provided by the statute of limitations KRS. 355.2 10(5)(a) and all other statutes found under Ky State Statues. Grayson ^{had} a liberal remedy provided by the Ky legislators. Whereby from the date Grayson Rural Electric alleged Callihan owed them, Grayson had exactly 4 yrs. to assert their legal right to bring an action in the Greenup County District Court

against Callihan for the alleged debt, Grayson Rural Electric failed to do so. The debt Grayson Rural Elec. alleges is mute and cured by statute of limitations no: KRS 355.2 105 (a)

VI Response to answer no VI:

It was the duty of Grayson Rural Electric to bring an action and assert their claim in the Greenup District Court. They failed to do so, that answer is mute.

VII Response to answer no VII:

It was the obligation of Grayson Rural Electric to move with an action against Callihan if they believed Callihan owed them. They failed to bring action against Callihan within the proper statute of limitations. Therefore they are barred by statute of limitations KRS. 355.2 105(a) and their answer in no 7 is mute.

VIII Response to answer no. VIII

The answer is irrelevant and mute.

IX Response to answer no. IX

Irrelevant and mute

X Response to answer no. X

The Complaint by the Complainant stands upon its own face and is self-explanatory. It is interesting to note that in Grayson's answer they cite no case law or authority to substantiate their answers. Any and all arguments in past Complaints is irrelevant and mute.

It is also interesting to note that Grayson cites no case law, simply because there is no case law whereby no court of law or equity has ever struck down a statute of limitations. Moreover, statute

KRS.355.2-105.2.

Respectfully Submitted,
~~N. Allen Phillips~~
 Walter Callihan

Thereby certify that a true and foregoing
has been served by mailing this _____
day of December 2006. to the following

W. Jeffrey Scott, P.S.C.
Attorney for Grayson ReCC.
311 West Main Street
P.O. Box 608
Grayson, Ky. 41143

Walter Callihan
Walter Callihan