

Fax: 502-564-3460

Commonwealth of Kentucky
Before The Public Service Commission

Case No: 2006-00495

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JAN 23 2007

PUBLIC SERVICE
COMMISSION

Walter Callihan

Complainant

vs.

Grayson Rural Electric
Cooperative Corporation,

Defendant.

Response to Grayson Rural
Electric Cooperative Corporation
and to the Public Service
Commission.

Answer to I. Response to Grayson's no I
paragraph; Grayson has no obligation
to bring an action against Callihan alleged
non-payment, however, Grayson had four
(4) years from the time the alleged debt
occurred to bring such action. Grayson is
now barred from bringing such action
for collection, barred by statute of limitations.

Paragraph II Response to answer no II
Grayson failed to take any action to
collect the alleged debt; therefore,

barred by statute of limitations

Paragraph III Response to paragraph III

Grayson legally is barred from bringing an action against Complanant, The Statute bars such an action by Grayson.

Paragraph IV Response to Paragraph IV

Please see, the Complaint filed by the Complainant that is self-explanatory upon its own face.

Paragraph V Response to Paragraph V.

There has been no public hearing I set to determine the validity of Grayson's assertions, that the complainant owes the alleged debt that Grayson asserts.

more over, an administrative such as the Public Service Commission cannot set aside and supercede the Kentucky legislature Acts, by statute of limitations, and replace same with an administrative ruling, such action would be unconstitutional. The Kentucky legislature is elected by the people to pass laws, The Key Public Service Com. is merely appointed

by some bureaucrat that in most cases has no respect for the law.

The Public Service Commission is also bound by the 4 year statute of limitations of collecting a legal debt. Since no hearing was asked for by Grayson to determine the validity of the alleged debt sought by Grayson. Grayson is now barred by statute of limitations to ask for a hearing at this time. Also, the Public Service Commission is barred from setting a hearing on the merits. The statute of limitations bars any hearing relating to the alleged debt. The statute of limitations bars same by all parties.

There is only one matter of issue before this Commission is to rule on the statute of limitations and it must legally rule that the statute of limitations bars any and all assertions that the Complainant owes any debt to Grayson. Therefore the Commission is obligated to order Grayson to provide electric to the Complainant Callihan forthwith.

Paragraph II Response

The Kentucky Public Service Commission made an investigation by taking depositions from Ruby Caudill Rosemary Adkins and Glen Coffee, said depositions were taken after four^{years} from the assertions by Grayson alleged Callihan owed them a debt. At that time, the statute of limitations had already expired. Therefore, the Public Service Commission was in error to commence such an investigation. Statute of limitations had already determined that Callihan owed no indebtedness to Grayson. Not only was the Public Ser. Comm. in error for making an investigation, they now would be in greater error to set a hearing to determine the merit of Grayson's assertion that Callihan owed them money. The statute of limitations bars all legal actions in said matter. As for as Grayson recovering money they allege Callihan owes ~~after the~~ after the 4yr statute of limitations. There is only one issue before

this Commission is to rule on Callhan's Complaint and assertion that the Statute of limitations has cured all assertions by Grayson that Call. has owes them money. The Kentucky Public Service Comm. has no alternative but to order Grayson to restore electricity to Callhan, simply, because Callhan cannot buy electricity anywhere else.

VII Response to Paragraph VI

Grayson is asking this Commission to rule on something that is after the fact and the statute of limitations has cured.

VIII Response to Paragraph VIII

Paragraph 8 is after the fact and has no merit. Is cured by the statute of limitations.

IV Response to Paragraph IV The Statute of limitations has cured any alleged indebtedness to Grayson.

II Response to Paragraph (10)

Calliam made a request for electrical Service and was denied electrical Service, Please see Callihans recent Complaint which is self-explanatory upon its own face.

In the matter of Grayson Rural Electric and the Kentucky Public Service Commission there is one and only one issue before this Commission that is to rule on Statute of limitations that is in Complainant Callihans Complaint. Grayson is denying Walter Callihan Electrical Service there is only one place Callihan can take his Complaint and redress before that is the Kentucky Public Commission at this time. All other arguments and assertions Grayson makes are mute and out of statute of limitations. The Kentucky Service Commission has one and only one ruling to furnish Callihan Electric Service. All other assertions are cured by Statute of limitations

Respectfully Sub
Walter Callihan

Thereby certify that a copy has been served on Grayson Rural Electric Cooperative Corporation this 18 day of Jan 2007 by way of mailing.

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Walter Calhoun