

Commonwealth of Kentucky
Before the Public Service Commission

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PUBLIC SERVICE
COMMISSION

In the Matter of:

THE APPLICATION OF KENTUCKY-AMERICAN)
WATER COMPANY FOR A CERTIFICATE OF) Case No. 2007-00134
CONVENIENCE AND NECESSITY AUTHORIZING)
THE CONSTRUCTION OF KENTUCKY RIVER)
STATION II, ASSOCIATED FACILITIES AND)
TRANSMISSION MAIN)

ATTORNEY GENERAL'S
NOTICE OF NO OBJECTION TO MOTION BY CITIZENS FOR ALTERNATIVE
WATER SOLUTIONS TO FILE TENDERED PLEADING OUT OF TIME

The Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, files this notice of no objection to the motion by Citizens for Alternative Water Solutions (CAWS) to file tendered pleading (Supplemental Testimony) out of time. In response, the Attorney General states the following.

By order dated January 16, 2008, the Commission permitted a limited period of time in which to develop any new evidence.¹ Moreover the evidence was required to be in "verified written testimony."² The Commission prescribed the deadline for the filing for on or before February 11, 2008.³

¹ See Order at page 1.

² See Order at page 2.

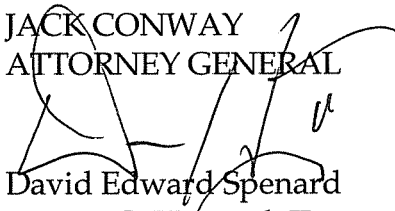
³ Id.

CAWS does not contest that the filing is untimely and thus moves for leave to file out of time. CAWS states that the request is due to “technical problems in producing the pleading and transmitting it.”⁴

The Attorney General does not object to the motion. Indeed, the Attorney General maintains that any and all available information be considered on this important issue. However, the Attorney General emphasizes that he does not wish to create precedent by his acquiescence to the motion. Moreover, the Attorney General does not waive any right to challenge the testimony or the attached exhibits as “new evidence.”

Respectfully submitted,

JACK CONWAY
ATTORNEY GENERAL



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⁴ See Motion at page 1.

Notice of Filing and Certificate of Service

Counsel gives notice that the original and eight photocopies of the Attorney General's Notice of No Objection to Citizens for Alternative Water Solutions Motion for Leave to File Tendered Pleading Out of Time were filed by hand delivery to Beth O'Donnell, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601. Counsel also certifies service of this document by mailing a true and correct photocopy of the same, first class postage prepaid, to the parties of record. Filing and service took place this 14th day of February, 2008.

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