

COMMONWEALTH OF KENTUCKY

RECEIVED

BEFORE THE PUBLIC SERVICE COMMISSION

AUG 13 2007

PUBLIC SERVICE  
COMMISSION

In the Matter of:

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

**CITIZENS FOR ALTERNATIVE WATER SOLUTION'S DATA REQUEST TO  
THE LOUISVILLE WATER COMPANY**

Pursuant to the scheduling order adopted by the Commission in this case, Citizens for Alternative Water Solutions (CAWS) requests that the Louisville Water Company (LWC) file with the Commission the following information, with a copy to all parties of record, within the time specified in the Commission's Order. For each response to data request,

(1) Please identify the individual responsible for answering each request.

(2) These requests shall be deemed continuing so as to require further and supplemental responses if LWC receives or generates additional information within the scope of these requests between the time of the response and the time of the hearing.

(3) A request to identify a document means to state the date or dates, author or originator, the subject matter, all addressees and recipients, type of document (e.g., letter, memorandum, telegram, chart, etc.), number or code number thereof or other means of identifying it, and its present location and custodian.

(4) To the extent that the specific document, study or information requested does not exist, but a similar document, study or information does exist, please provide the similar document, study or information.

(5) To the extent that any request may be answered by way of a computer printout, please identify each variable contained in the printout which would not be self-evident to a person not familiar with the printout.

(6) If LWC objects to any request on the grounds that the requested information is proprietary in nature, or for any other reason, please notify CAWS' Attorney of Record as soon as possible.

(7) For any document withheld on the basis of privilege, state the following: date; author; addressee; all persons to whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.

(8) In the event any document called for has been destroyed or transferred beyond the control of the company, please state the identity of the person by whom it was destroyed or transferred; the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

(9) Where the information requested is the same as has been provided to another party in response to data request, it is sufficient to identify that response rather than duplicating the information requested.

Data Request No 1

Has the LWC adopted a formal position concerning whether the Public Service Commission (PSC) should issue the Certificate of Public Convenience and Necessity (CPCN) requested by Kentucky American Water Company (KAWC) in this case?

a. If so, what is that position?

b. Please provide all studies, reports, analyses, and other bases relied upon in support of that position. To the extent that those documents are already of record in this proceeding, a reference to the title, author and date of the document will be sufficient.

Data Request No. 2

Please provide all studies or analysis not previously filed in this case, regarding your evaluation(s) of the studies conducted by or believed to be relied upon by KAWC or the Bluegrass Water Supply Consortium in concluding that the Pool 3 Project is the lowest-cost option for KWC and BWSC.

Data Request No. 3

Please provide all studies or analysis, not previously submitted in this case, pertaining to issues in this case that are not included within the request in the previous paragraph.

Data Request No. 4

Have you identified a specific route or a limited number of potential specific routes that could be used to connect the LWC water system to Lexington's water system? If so, please describe those routes, the projected costs for construction along such routes, and whether you believe that there are legal, engineering, or other impediments that would prevent such construction.

Data Request No. 5

Please describe LWC's programs to promote water conservation. Does LWC have any water conservation programs directed towards industrial or other large water consumers? If yes, please describe.

Data Request No. 6

What percentage of LWC's water production is lost or otherwise "non-revenue." What programs are in place to minimize such loss?

Data Request No. 7

The witness for the Office of the Attorney General has raised a question concerning your ability to build this pipeline in a timely manner (i.e. by 2010); to gain access to the necessary rights of way along I-64; and whether you would indeed charge a wholesale rate of \$1.71 /1000 gallons. Do you stand by these claims and what assurances can you provide to justify them?

Data Request No. 8

In your experience, would the impending initial public offering ("IPO") of the parent company of KAWC be affected, positively or negatively, if KAWC secures the CPCN being sought? Would the impending IPO of the parent company of KAWC be adversely affected if KAWC does not secure the CCPN being sought and/or is, instead, required to meet its water supply needs by some other means, such as purchasing its water wholesale from your company?

Respectfully submitted,



Tom FitzGerald  
Kentucky Resources Council, Inc.  
P.O. Box 1070  
Frankfort, Kentucky 40602  
(502) 875-2428

Counsel for Citizens for Alternative  
Water Solutions, Inc. (CAWS)

### **CERTIFICATE OF SERVICE**

I hereby certify that the original and 10 copies have been filed with the Commission and that a true and correct copy has been served by first-class mail upon the following individuals this 13<sup>th</sup> day of August, 2007:

Hon. A.W. Turner Jr.  
Kentucky-American Water Company  
2300 Richmond Road  
Lexington, KY 40502

Hon. Lindsey Ingram Jr.  
Hon. Lindsey Ingram, III  
Stoll Keenon Ogden PLLC  
300 West Vine Street Suite 2100  
Lexington, Kentucky 40507  
(electronically also)

Hon. David E. Spenard  
Assistant Attorney General  
1024 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601


Hon. David J. Barberie  
Lexington-Fayette Urban County Government  
Department of Law  
200 East Main Street  
Lexington, Kentucky 40507

Hon. David Boehm  
Boehm, Kurtz and Lowry

36 East Seventh Street, Suite 2110  
Cincinnati OH 45202

Beth O'Donnell, Executive Director  
Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40601

Hon. Damon R. Talley  
P.O. Box 150  
Hodgenville, Kentucky 42748



Tom Fitzgerald