

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO THE ADEQUACY OF)
THE WATER SUPPLY OF MAGOFFIN COUNTY) CASE NO. 2008-00443
WATER DISTRICT)

ORDER

To ensure a fair and orderly hearing in this matter, the Commission, on its own motion, HEREBY ORDERS that:

1. At the scheduled hearing in this matter, each party to this proceeding shall have the option of making an opening and closing statement. Such statements shall be no more than 10 minutes in length.
2. Opening and closing statements shall be presented in the following order:
 - a. City of Salyersville ("Salyersville");
 - b. Magoffin County Water District ("Magoffin District");
 - c. Division of Water ("DOW");
 - d. Billy J. Rowe, Sr.; and
 - e. Attorney General ("AG").
3. Presentation of evidence shall be conducted in the following order:
 - a. Salyersville;
 - b. Magoffin District;
 - c. DOW;
 - d. Billy J. Rowe, Sr.;
 - e. AG; and

f. Commission Staff.

4. Direct examination of witnesses who have presented written prepared testimony shall be generally limited to the authentication and adoption of that written testimony. A witness may briefly summarize his or her written testimony, but such summarization shall not exceed 10 minutes in length.

5. The restrictions set forth in Ordering Paragraph 4 shall not apply to witnesses who testify under subpoena and are not affiliated with the party that has called the witness.

6. Cross-examination of witnesses shall be conducted in the following order:

- a. Salyersville;
- b. Magoffin District;
- c. DOW;
- d. Billy J. Rowe, Sr.;
- e. AG; and
- f. Commission Staff.

7. Any preliminary motions shall be made in writing and filed with the Commission no later than 3:00 p.m., Eastern Standard Time, on February 9, 2009.

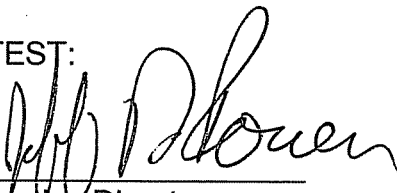
8. All members of Magoffin District's Board of Commissioners shall be present at the scheduled hearing.

9. All provisions of the Commission's Order of November 26, 2008 that are not in conflict with this Order shall remain in effect.

Done at Frankfort, Kentucky, this 6th day of February, 2009.

By the Commission

ATTEST:

A handwritten signature in cursive script, appearing to read "J. B. Bowen". The signature is written in black ink and is positioned above a horizontal line.

Executive Director

Case No. 2008-00443

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