

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LOGAN TELEPHONE COOPERATIVE, INC.)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2021-00248
)	
EAST LOGAN WATER DISTRICT)	
)	
DEFENDANT)	

ORDER

This matter arises upon the motion of a party to extend a procedural deadline. By Order entered November 30, 2022, the Commission established an amended procedural schedule. Pursuant to the procedural schedule, Logan Telephone Cooperative, Inc. (Logan Telephone), and East Logan Water District (East Logan Water) were each required to file responses to initial requests for information no later than December 9, 2022. On December 8, 2022, East Logan Water filed a motion requesting an extension of time until December 30, 2022, to respond to the initial requests for information propounded to East Logan Water by Logan Telephone.

In support of its motion, East Logan Water stated that the persons who were primarily responsible for field operations are no longer employed by the district and are unavailable to assist the district in preparing its responses. East Logan Water further stated that the email account of the administrative assistant to the former General Manager served as the repository for all locate requests, and that the information is no

longer available because the assistant abruptly quit on September 12, 2022, and deleted her email account and all other files on her computer workstation. Finally, East Logan Water stated that key current personnel were stricken with the flu during the week of November 28, 2022, and unable to perform their work duties or devote time to responding to Logan Telephone's requests for information.

The Commission finds that East Logan Water has shown good cause to extend the deadline to respond to Logan Telephone's initial data requests to December 30, 2022, due to the difficulty in obtaining the necessary information. For that reason, the Commission finds that the motion should be granted. The Commission notes, however, that although East Logan Water's key personnel fell ill the week of November 28, 2022, the district did not file its motion for extension until December 8th, the day before the deadline. The Commission reminds the parties that any motion to amend a procedural date should be filed as soon as practical after the need for an amendment of the schedule arises.

The Commission further finds that the deadlines for filing supplemental requests and responses to supplemental requests should also be extended. Amendment of these deadlines is necessary so that Logan Telephone is afforded sufficient time before the deadline to file supplemental requests to review East Logan Water's responses to the initial requests.

IT IS THEREFORE ORDERED that:

1. East Logan Water's motion for an extension of time to file responses to Logan Telephone's initial requests for information to December 30, 2022, is granted.

2. The amended procedural schedule established on November 30, 2022, is stricken and replaced with the amended procedural schedule set forth in the Appendix to this Order.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

PUBLIC SERVICE COMMISSION



Chairman

Vice Chairman



Commissioner



ATTEST:



Executive Director

Case No. 2021-00248

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2021-00248 DATED DEC 16 2022

East Logan District shall file responses to initial requests
for information no later than 12/30/2022

Logan Telephone and East Logan District each shall file supplemental
requests for information no later than 01/13/2023

Logan Telephone and East Logan District each shall file responses
to initial requests for information no later than 01/27/2023

*Christopher S. Zelli
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202

*East Logan Water District, Inc.
East Logan Water District, Inc.
333 S Franklin Street
Russellville, KY 42276

*Gerald E Wuetcher
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801

*Logan Telephone Cooperative, Inc. dba LTC
10725 Bowling Green Road
P. O. Box 97
Auburn, KY 42206

*John E Selent
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202

*Edward T Depp
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202