

COMMONWEALTH OF KENTUCKY  
BEFORE THE UTILITY REGULATORY COMMISSION

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In the Matter of:

THE COMPLAINT OF DOUGLAS H. )  
MORRIS, ET AL., AGAINST GOSHEN ) CASE NO. 8151  
UTILITIES, INC. )

ORDER

By order issued February 24, 1981, the Commission treated the late-filed petition for rehearing by Douglas H. Morris, et al. as a complaint against the existing rates of Goshen Utilities, Inc. The Commission set a hearing on said complaint for April 14, 1981. In preparation for said hearing the Complainants have submitted certain interrogatories and requests for information to Goshen Utilities and the Company has objected to certain of these requests. A hearing was held before the Commission on these issues on February 19, 1981, and certain stipulations were thereafter entered into the record by all parties to the proceeding. Based on this hearing and the subsequent stipulation, Goshen Utilities has indicated it has no objection to providing the information requested by the Complainants as propounded in their original interrogatories on November 25, 1980, except to the following items contained therein:

Interrogatories

Items 2, 3, 6, 7, 8, 11, 12 and 16.

Requests

Items 1(e) and 1(g).

The Commission, after consideration of this matter and being advised, hereby finds that Goshen Utilities should comply with the Complainants' Interrogatories and Requests as follows:

1. Goshen shall answer Interrogatory Number 2 only for the period comprising the test year in Goshen's current rate

case (No. 7797) and the immediately preceding 12-month period.

2. Goshen shall respond to Interrogatories Nos. 3 and 6 only to the extent that said information relates to Goshen Developers, inc. This information shall be provided for the same time period as set forth in paragraph one (1) of this Order.

3. With respect to Interrogatories No. seven (7) and eight (8), Goshen Utilities shall respond to the requests to the extent that the utility has any knowledge regarding such tap-on fees.

4. With respect to Interrogatory No. 11, Goshen Utilities shall supply said information to the extent of its knowledge.

5. The information requested in Interrogatory No. 12 shall be responded to by Goshen since such payments by the Utility have either been or not been made, and as such, the information would be a matter of record for the Utility.

6. The Commission rejects Interrogatory No. 16 on the ground that the membership of a utility's personnel in a country club has no relevance in a rate proceeding.

7. The Complainants have also requested to inspect certain documents in the possession of Goshen Utilities. Item 1(e) requests the right to inspect all documents related to Interrogatory No. 6 ruled on above. Accordingly, Goshen Utilities shall allow the inspection of said documents only to the extent that they relate to Goshen Developers, Inc.

8. The Commission rejects the Complainants' request to inspect the documents listed under 1(g). Such a request is simply too broad to have any relevancy to a rate proceeding with a limited test period.

9. The Complainants have also requested that subpoenas be issued to certain individuals connected with either Goshen Utilities or Goshen Developers, Inc. The Commission finds that

the Complainants must make a proper application for said subpoenas under the provisions of KRS 278.320 and the regulation implementing this statutory provision in KRS 25:010, Section 3(6).

The Utility Regulatory Commission hereby ORDERS that Goshen Utilities shall respond to the Interrogatories and comply with the request to inspect documents as set forth in the above-enumerated findings.

It is FURTHER ORDERED that Goshen Utilities shall furnish said information and allow said inspections within thirty days (30) from the date of this Order.

Done this 27th day of February, 1981.

UTILITY REGULATORY COMMISSION

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Vice Chairman

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Commissioner

ATTEST:

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Secretary