

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of

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

ORDER

On April 20, 1981, the Complainants herein (through their counsel) filed a "Notice of Depositions" with this Commission. The purpose of said depositions was to allow Complainants access to certain information from Goshen Utilities, Inc. to facilitate Complainants in their case against the existing rates of Goshen Utilities. On April 23, 1981, Goshen Utilities filed a formal objection to the depositions on the grounds that Complainants had had ample opportunity to gather this information at a previous deposition session, that some of the material requested was irrelevant and beyond the control of the utility, and that the time for complying with the requests for documents was unreasonably short. Despite these formal objections, the Commission was informed by the response of the Complainants (filed on May 1, 1981) that Goshen Utilities had gone ahead and submitted to depositions on April 20, 1981, and at that time Goshen agreed to furnish nearly everything requested by the Complainants, except the following:

(1) information regarding the Stone family's transfer of certain land to Goshen Developers; (2) copies of "Special Bills," (3) copies of invoices for certain past expenses.

After considering this matter and being advised, the Commission finds as follows:

1. The information requested by Complainants involving the deed and promissory note(s) for any sale of land by the Stone family to Goshen Developers is irrelevant to this Commission's determination of a fair, just and reasonable rate for Goshen Utilities. Accordingly, Goshen Utilities shall be under no obligation to furnish such information to the Complainants in this proceeding.

2. With regard to the "special bills" requested, the Commission agrees with the Complainants that the production and copying of only 12 such bills for the test year would not be burdensome for the utility. Accordingly, Goshen Utilities should furnish copies of these 12 "special bills" to Complainants prior to the May 26, 1981 hearing now scheduled for this matter.

3. The Complainants should be allowed to inspect and copy the invoices requested in paragraphs 24 through 26 of the original request, at the offices of Goshen Utilities prior to the May 26, 1981 hearing.

4. With respect to the information Goshen Utilities has already agreed to give to the Complainants, Goshen Utilities should make a good faith effort to supply all such information to the Complainants prior to the May 26, 1981 hearing. If Goshen is physically incapable of providing some of this information to Complainants before May 26,

1981, any issues raised thereby will be considered by the Commission at the outset of said hearing.

WHEREFORE, based upon the above stated findings, the Commission hereby ORDERS that Goshen Utilities, Inc. shall provide the information designated in the findings contained herein and in the manner so prescribed to Complainants, Douglas H. Morris, et al.

Done this 14th day of May, 1981.

PUBLIC SERVICE COMMISSION

Martin M. Vohy  
For the Commission

ATTEST:

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Secretary