

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of

THE APPLICATION OF STONE BROOK)
SANITATION COMPANY, INCORPORATED,)
FOR CONSIDERATION OF A RATE AD-)
JUSTMENT AND A CERTIFICATE OF)
CONVENIENCE AND NECESSITY TO)
CONSTRUCT IMPROVEMENTS TO EXIST-)
ING FACILITIES AND AUTHORITY TO)
BORROW FUNDS NECESSARY FOR SUCH)
PURPOSES)

CASE NO.
8770

O R D E R

On August 1, 1983, Farmgate Homeowners Association ("Farmgate"), by counsel, filed its Motion to Produce Documents. Farmgate also moved the Commission, by separate pleading filed August 1, 1983, to permit intervention, that all documents, transcripts, pleadings, records and depositions of any kind introduced in Case No. 7307 (Adjustment of Rates of Stone Brook Sanitation Company) be considered in this case, and that all parties be allowed to refer to any documents used in Case No. 7307 and, further, that the Commission dismiss the application for a rate adjustment and the amended application to construct improvements.

The Commission, having considered the pleadings of Farmgate and being advised, is of the opinion and finds that:

(1) The Motion to Produce Documents was not timely filed.

(2) The Commission, by Order entered July 20, 1983, set this case for further hearing for the purpose of permitting participation by Farmgate. Accordingly, Farmgate's request to

intervene should be granted.

(3) Any matters raised in Farmgate's pleadings, not specifically ruled on in this Order, may be properly addressed at the hearing scheduled August 8, 1983.

IT IS THEREFORE ORDERED That the Motion to Produce Documents be and it hereby is overruled.

IT IS FURTHER ORDERED That Farmgate's request to intervene be and it hereby is granted.

IT IS FURTHER ORDERED That any matters raised in Farmgate's pleadings, not specifically ruled on in this Order, may be properly addressed at the August 8, 1983, hearing.

Done at Frankfort, Kentucky, this 4th day of August, 1983.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary