

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CUMBERLAND VALLEY RURAL ELECTRIC COOPERATIVE CORPORATION)	
)	
COMPLAINANT)	
VS.)	CASE NO. 90-112
)	
KENTUCKY POWER COMPANY)	
)	
DEFENDANT)	

O R D E R

The Commission having been advised that certain witnesses in this matter are unavailable to appear on the scheduled hearing date and that parties have no objection to rescheduling this hearing, and the Commission further finding that certain revisions to existing procedural schedule are desirable,

IT IS HEREBY ORDERED that:

1. All provisions of the Commission's Order of May 31, 1990 still effective are hereby vacated.

2. A formal hearing in this matter shall be held in Hearing Room No. 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, beginning at 10:00 a.m., Eastern Standard Time, on Thursday, December 13, 1990.

3. Each party may, no later than October 1, 1990, serve upon any other party a supplemental request for production of documents and supplemental written interrogatories to be answered by the party served within 14 days of service.

4. Each party may, no later than October 15, 1990, take the testimony of any person by deposition upon oral examination pursuant to notice or by agreement.

5. Each party may, no later than October 15, 1990, serve upon any other party a written request for admission, for purposes of this proceeding only, of the truth of any relevant matter set forth in the request that relates to statements or opinions of fact or of the application of law to fact. The matter is admitted unless within 14 days after service of the request, the party to whom the request is directed serves upon the party requesting the admission a written answer or objection. The form of the request for admission and the answer or objection thereto shall otherwise be governed by Kentucky Civil Rule 36.

6. Each party shall, no later than November 16, 1990, submit a prehearing memorandum which (a) identifies factual and legal issues to be presented, (b) lists all witnesses in the order in which they will testify on direct examination, (c) lists the qualifications of any expert witnesses, and (d) summaries each witnesses' expected testimony.

7. Each party shall, no later than November 16, 1990, serve upon the other parties a list and copies of all exhibits which it will introduce at the formal hearing. All exhibits shall be marked for identification.


8. Each party shall, no later than November 30, 1990, state its objections to any filed exhibit and the legal basis for such objection. Where no objection is made to an exhibit, it shall be admitted in evidence.


9. All preliminary motions and objections, other than objections to exhibits, shall be made no later than November 16, 1990.


10. Copies of all documents served upon any party shall be served on all other parties and ten copies of such documents shall be filed with the Commission.

Done at Frankfort, Kentucky, this 5th day of September, 1990.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director