

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SALT RIVER WATER DISTRICT AND KENTUCKY )  
TURNPIKE WATER DISTRICT JOINT PETITION ) CASE NO. 92-169  
FOR APPROVAL OF MERGER AGREEMENT AND )  
RETAIL RATE ADJUSTMENT )

O R D E R

This matter arises upon the filing of various motions by parties to this proceeding, to wit, the motion of joint petitioner Salt River Water District to reschedule the hearing date, the motion filed by the Intervenors, Dovie Sears, et al (Ratepayers) to extend the procedural schedule, and two motions filed by the Intervenor, city of Shepherdsville, requesting the Commission order and compel Kentucky Turnpike Water District to respond to interrogatories issued by Shepherdsville.

The motion of the Ratepayers to extend the procedural schedule is based upon the fact that the Ratepayers have not received responses to their supplemental requests for information from the joint petitioner, Kentucky Turnpike Water District. The Ratepayers also state that Kentucky Turnpike Water District's initial responses to the first request for information from the Ratepayers were late and were inadequate. As a result, the Ratepayers are prejudiced with respect to the filing of their witness' testimony.

The Intervenor, Shepherdsville, filed its first motion to compel on August 7, 1992 and filed a supplemental motion to compel on August 17, 1992. The basis for the latter motion is the fact

that joint petitioner, Kentucky Turnpike Water District, has failed to respond to both sets of interrogatories issued by Shepherdsville on July 22 and August 7, 1992, respectively. Shepherdsville states in its motion that no responses to either request have been received.

After consideration of the respective motions in this proceeding, matters of record, and being otherwise sufficiently advised, the Commission finds that the motion to compel filed by the city of Shepherdsville should be granted and that the motions of the Intervenors, Ratepayers and Shepherdsville should also be granted.

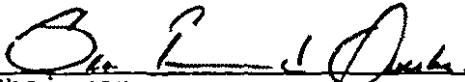
Kentucky Turnpike Water District is HEREBY ORDERED AND COMPELLED to provide to all parties of record responses to the interrogatories issued by the city of Shepherdsville on July 22 and August 7, 1992. Kentucky Turnpike Water District is FURTHER ORDERED AND COMPELLED to respond to those written interrogatories no later than September 3, 1992. Failure to respond to previously issued interrogatories could subject Kentucky Turnpike Water District to the penalties set forth in KRS 278.990.

IT IS FURTHER ORDERED that to eliminate undue prejudice that has occurred due to the failure of Kentucky Turnpike Water District to respond adequately to the interrogatories issued by the parties in this proceeding, the procedural schedule be and it hereby is modified and shall be followed by all parties to this proceeding as further detailed in Appendix A of this Order. To the extent that prefiled testimony of the Intervenors has been filed, said

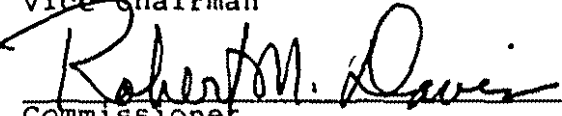
testimony may be supplemented if necessary pursuant to the revised procedural schedule.

Done at Frankfort, Kentucky, this 25th day of August, 1992.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC  
SERVICE COMMISSION IN CASE NO. 92-169 DATED 8/25/92

All responses to issued Interrogatories due  
from Kentucky Turnpike no later than.....9/03/92

All supplemental requests for information (to  
include only those matters within the scope of  
the initial requests) to Kentucky Turnpike shall be  
due no later than.....9/10/92

Kentucky Turnpike shall mail or deliver responses  
to supplemental requests for information no  
later than.....9/17/92

Intervenors supplemental testimony, if any, shall  
be filed in verified prepared form no later  
than.....9/24/92

All requests for information to Intervenors shall  
be due no later than.....10/01/92

Intervenors shall mail or deliver responses to requests  
for information no later than.....10/08/92

Witness list and exhibits for hearing to be  
prefiled.....10/14/92

All motions and objections to witness list and  
hearing exhibits due.....10/19/92

Public Hearings are to begin at 10:00 a.m., Eastern  
Standard Time, in the Commission's offices at Frankfort,  
Kentucky, for the purpose of cross-examination of  
witnesses of Joint Petitioners and witnesses of the  
Intervenors.....10/27/92