

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

WILLIAM WALKER)	
)	
COMPLAINANT)	
)	
v.)	
)	
JACKSON PURCHASE RURAL ELECTRIC)	CASE NO. 95-117
COOPERATIVE CORPORATION)	
)	
DEFENDANT)	

O R D E R

By Order dated April 22, 1996, the Commission cancelled the hearing scheduled on April 24, 1996 and submitted this case for a decision on the existing evidence of record. The basis for that Order was an April 17, 1996 telephone call from the Complainant to the Commission's Executive Director requesting that action. See April 19, 1996 Memo from Executive Director to Case File.

On April 22, 1996, the Complainant filed a letter, which the Commission will treat as a motion, requesting that the April 24, 1996 hearing be cancelled and rescheduled to late August 1996 due to the distance involved in driving to Frankfort, Kentucky.

Based on the motion and being otherwise sufficiently advised, the Commission finds that this case was originally scheduled for hearing on July 26, 1995. Pursuant to Complainant's request to reschedule the hearing to September 1995 or schedule a three-way

phone conference, a phone conference was held on August 3, 1995. The parties were unable to resolve this dispute during the phone conference and the hearing was rescheduled for October 26, 1996.

The Complainant subsequently notified the Commission that he could not attend a hearing in Frankfort until the first or second week of January 1996. The hearing was then rescheduled to January 4, 1996. On January 2, 1996, Complainant requested the hearing be rescheduled to the fourth week of April 1996. The hearing was then rescheduled to April 24, 1996. Now, the Complainant requests a four-month delay due to the distance to Frankfort, Kentucky.

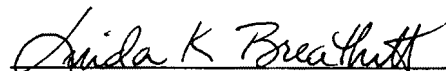
Having requested the hearing be rescheduled three prior times, the Complainant has failed to show good cause for a fourth rescheduling. The last two hearings dates, January 4, 1996 and April 24, 1996, were specifically requested by the Complainant. No reason was presented for his unavailability on January 4, 1996 and he was advised by Order dated January 19, 1996 that "no further rescheduling will be granted absent compelling reason." The only reason presented by Complainant for rescheduling the April 24, 1996 hearing is the distance to Frankfort, Kentucky. While the Commission is not unsympathetic to the fact that the Complainant resides approximately 250 miles from Frankfort, Kentucky, he has presented no valid reason to justify his inability to appear on April 24, 1996 or to support a rescheduling to August 1996.

It is therefore ORDERED that Complainant's motion to reschedule the April 24, 1996 hearing is denied and this case shall

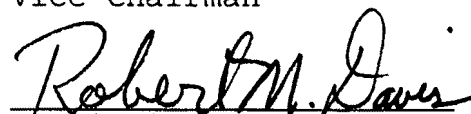
stand submitted for a decision on the existing record in accord with the April 22, 1996 Order.

Done at Frankfort, Kentucky, this 29th day of April, 1996.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director