

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|---------------------------------------|---|-----------------|
| WEST SHELBY WATER DISTRICT |) | |
| |) | |
| COMPLAINANT |) | |
| |) | |
| vs. |) | CASE NO. 99-031 |
| |) | |
| THE CITY OF SHELBYVILLE, KENTUCKY, A |) | |
| MUNICIPAL CORPORATION; AND, THE |) | |
| SHELBYVILLE MUNICIPAL WATER AND SEWER |) | |
| DISTRICTS |) | |
| |) | |
| DEFENDANTS |) | |

O R D E R

Upon motion of Complainant, by counsel, for a 30 day extension for each step in the Commission's procedural Order entered May 10, 1999; after actual notice to counsel for Defendants and without objection by Defendants; after review by Commission Staff; and, finding that the May 10, 1999 Order should be amended to grant the motion, the Commission HEREBY ORDERS that:

1. An informal conference shall be conducted on September 30, 1999 at 9:00 a.m., Eastern Daylight Time, in Hearing Room 2 of the Commission's offices at 677 Comanche Trail, Frankfort, Kentucky and continue until adjourned. The purpose of the conference shall be to consider any matter which would expedite the handling or disposition of this proceeding, including but not limited to, settlement, simplification of issues and the contents of the record.

2. A formal hearing in this matter shall be held on October 8, 1999 at 9:00, Eastern Daylight Time, in Hearing Room 2 of the Commission's offices at 677 Comanche Trail, Frankfort, Kentucky.

3. Each party may, on or before June 21, 1999, serve upon any other party a request for production of documents and written interrogatories to be answered by the party served within 15 days of service.

4. Each party may, on or before July 15, 1999, serve upon any other party a supplemental request for production of documents and supplemental written interrogatories to be answered by the party served within 10 days of service.

5. Each party may, on or before August 13, 1999, take the testimony of any person by deposition upon oral examination pursuant to notice or by agreement.

6. On or before September 2, 1999, each party shall file with the Commission in verified form the direct testimony of each witness that it expects to call at the formal hearing.

7. On or before September 15, 1999, each party shall file with the Commission in verified form the testimony of each rebuttal witness that it expects to call at the formal hearing.

8. Nothing contained herein shall preclude the Commission from ordering, on its own motion, either party to respond to the Commission's interrogatories or to produce documents or other materials.

9. Any party may within 14 days of the filing of the hearing transcript with the Commission submit an initial written brief. Reply briefs may be submitted no later than

7 days after the filing of initial briefs. Initial briefs shall not exceed 25 pages in length.
Reply briefs shall not exceed 10 pages in length.

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

11. As the Complainant bears the burden of proof in this matter, its failure to appear at the formal hearing and present proof in support of its complaint may result in the dismissal of its complaint with prejudice.

12. The failure of Defendant to appear at the formal hearing may result in the entry of an Order granting the Complainant's requested relief.

Done at Frankfort, Kentucky, this 4th day of June, 1999.

By the Commission

ATTEST:

Executive Director