

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF BIG BEAR WASTEWATER,)
INC. FOR AN ADJUSTMENT OF RATES PURSUANT) CASE NO.
TO THE ALTERNATIVE RATE FILING PROCEDURE) 99-114
FOR SMALL UTILITIES)

O R D E R

On August 3, 1999, The Dens Condominium Association (The Dens) served an information request on Big Bear Wastewater, Inc. (Big Bear). On August 9, 1999, Big Bear provided The Dens with some of the information requested, but filed an objection to the request. As grounds for its objection, Big Bear contends that the information has been previously made available to Staff and made a part of the Staff Report. It also contends that the proximity in time of the information request to the hearing date prevented it from filing all the information. Big Bear requests the Commission to issue an order directing that Big Bear not be required to produce the information requested or, in the alternative, that it be given a reasonable time in which to produce the information. The Dens filed a response to the objection on August 10, 1999 clarifying that the case had been set for an informal conference, not a hearing, and asserting that it must be given access to all appropriate information in order to comment effectively on the rate proposal.

After consideration of the record and being otherwise sufficiently advised, the Commission finds that:

1. The information request is reasonable and within the scope of the proceeding.

2. No compelling reason has been advanced to restrict or deny the information requested.

3. The Dens should be permitted a reasonable time to review the information and provide additional written comments to the Staff Report of June 3, 1999.

IT IS THEREFORE ORDERED that:

1. Within 10 days from the date of this Order, Big Bear shall file with the Commission, with a copy to The Dens, the information requested by The Dens on August 3, 1999.

2. The Dens shall have 20 days from the date of this Order to provide additional written comments to the Staff Report of June 3, 1999.

Done at Frankfort, Kentucky, this 25th day of October, 1999.

By the Commission

ATTEST:

Executive Director