

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BENTON F. CRUM, DERLE WALKER, MARK BOWEN)	
AND JOHN F. CRUM)	
)	
COMPLAINANTS)	
v.)	CASE NO. 99-193
)	
MARTIN COUNTY WATER DISTRICT)	
)	
DEFENDANT)	

ORDER

Martin County Water District having answered the complaint and it appearing that issues of fact are in dispute, the Commission finds that a formal hearing in this matter should be held.

IT IS THEREFORE ORDERED that:

1. A formal hearing in this matter shall be held on September 9, 1999, at 10:00 a.m., Eastern Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, and continuing until completed.

2. Within 30 days of the date of this Order, each party shall file an original and 8 copies of the following with the Commission and serve a copy upon all parties of record:

a. List of the names and addresses of all witnesses that it intends to call as a witness at the formal hearing.

b. A summary of the expected testimony of each witness.

c. A copy of all documents and exhibits that it intends to introduce into evidence at the scheduled hearing.

3. To be timely filed with the Commission, a document must be received by the Secretary of the Commission within the specified time for filing except that any document shall be deemed timely filed if it has been transmitted by United States express mail, or by other recognized mail carriers, with the date the transmitting agency received said document from the sender noted by the transmitting agency on the outside of the container used for transmitting, within the time allowed for filing.

4. Service of any document or pleading shall be made in accordance with Administrative Regulation 807 KAR 5:001, Section 3(7), and Kentucky Civil Rule 5.02.

5. As the Complainants bear the burden of proof in this matter, their failure to appear at the formal hearing and to present proof in support of their Complaint may result in the dismissal of their complaint with prejudice.

6. The failure of Defendant to appear at the formal hearing may result in the entry of an Order granting the Complainants requested relief.

Done at Frankfort, Kentucky, this 23rd day of July, 1999.

By the Commission

ATTEST:

Executive Director