

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DOWNEY TRENCHING, INC.; C & J ELECTRIC CO.,)	
INC.; and ROBARDS ELECTRIC, INC.)	
)	
COMPLAINANTS)	
)	
v.)	CASE NO. 99-308
)	
SALT RIVER ELECTRIC COOPERATIVE)	
CORPORATION)	
)	
DEFENDANT)	

ORDER

Defendant has moved to compel Complainants to answer certain interrogatories and requests for production of documents, for additional time to serve its supplemental request for production of documents and interrogatories, and for reassignment of the hearing date. Having heard the motions and being otherwise sufficiently advised, the Commission HEREBY ORDERS that:

1. Defendant s Motion to Compel is granted in part and denied in part.
2. Defendant s Motions to Reschedule Hearing and for Additional Time to Serve Supplemental Interrogatories and Requests for Production of Documents are granted.
3. Complainants C & J Electric Co., Inc. (C & J Electric) and Robards Electric, Inc. (Robards Electric) shall serve upon the Defendant, no later than November 9, 1999, their answers to Defendant s Initial Interrogatories and Defendant s Initial Request for Production of Documents No. 1 through No. 3.

4. Complainant Downey Trenching, Inc. (Downey Trenching) shall serve upon the Defendant, no later than November 9, 1999, its answers to Defendant s Initial Interrogatories No. 3 through 5 and to Defendant s Request for Production of Documents No. 3.

5. Complainants shall be deemed to have adequately responded to Defendant s Initial Interrogatory No. 3 by providing the address of each person in Nelson, Washington, Bullitt or Spencer counties, Kentucky to whom they installed residential or commercial electric service during the 3 years ending February 28, 1999. An address may consist of the subdivision name and subdivision lot number.

6. Complainants shall be deemed to have adequately responded to Defendant s Initial Interrogatory No. 4 by providing the address of each person in Nelson, Washington, Bullitt or Spencer counties, Kentucky to whom they responded concerning a complaint about a residential or commercial electric service which they installed during the 3 years ending February 28, 1999. An address may consist of the subdivision name and subdivision lot number.

7. Complainants shall be deemed to have adequately responded to Defendant s Initial Interrogatories No. 6, No. 7, and No. 8 by providing:

a. the percentage of their gross revenues attributable to the installation of residential or commercial service in Nelson, Washington, Bullitt or Spencer counties, Kentucky for each of the 3 years prior to March 1, 1999; and,

b. the percentage of their gross revenues attributable to the sale of electric wire related to the installation of residential or commercial service in Nelson, Washington, Bullitt or Spencer counties, Kentucky for each of the 3 years prior to March 1, 1999.

8. Complainants shall be deemed to have adequately responded to Defendant's Initial Request for Production of Documents No. 3 by:

a. Providing a list of all locations in Nelson, Washington, Bullitt or Spencer counties, Kentucky where they installed residential or commercial electric service during the 3 years ending February 28, 1999, and used wiring that did not comply with Defendant's regulations; or,

b. Providing all documents related to installations of residential or electric service within Nelson, Washington, Bullitt or Spencer counties, Kentucky for the 3 years ending February 28, 1999 and listing the type of wire used.

9. The procedural schedule set forth in the Commission's Order of August 19, 1999 is modified as follows:

a. Defendant may, on or before November 19, 1999, serve upon any other party a supplemental request for production of documents and written interrogatories to be answered by the party served within 12 days of service.

b. On or before December 21, 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.

c. On or before January 10, 2000, 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.

d. A formal hearing in this matter shall be held on February 29, 2000 at 10:00 a.m., Eastern Standard Time, in the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, and continuing until completed.

10. All provisions of the Commission's Order of August 19, 1999 that are not in conflict with this Order shall remain in effect.

Done at Frankfort, Kentucky, this 22nd day of October, 1999.

By the Commission

ATTEST:

Executive Director