

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

EAST LOGAN WATER DISTRICT)	
and)	
NORTH LOGAN WATER DISTRICT NO. 1)	
)	
COMPLAINANTS)	
v.)	CASE NO. 2001-212
)	
CITY OF RUSSELLVILLE)	
)	
DEFENDANT)	

ORDER

Finding that a procedural schedule should be established for this proceeding and further finding that this proceeding should be bifurcated to address separately the issues surrounding the city of Russellville's ("Russellville") filing of March 22, 2001 and the reasonableness of its present wholesale rate, the Commission, on its own motion, HEREBY ORDERS that:

1. A formal hearing on all issues surrounding Russellville's filing of March 22, 2001, except those involving the reasonableness of Russellville's wholesale rate, shall be held on January 29, 2002 at 10:00 a.m., Eastern Standard Time, at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, and shall continue until completed.

2. Each party may, on or before December 14, 2001, serve upon any other party an initial request for production of documents and written interrogatories to be

answered by the party served no later than January 4, 2002. Requests and interrogatories shall not address the reasonableness of Russellville's wholesale rate.

3. The parties shall file with the Commission any preliminary motions in this matter, except those related to proposed witnesses, no later than January 11, 2002. Motions regarding proposed witnesses shall be filed with the Commission no later than January 24, 2002.

4. Each party shall, no later than January 18, 2002, serve upon all other parties a list of the witnesses that it expects to call and a brief summary of each witness's expected testimony.

5. The scope of the scheduled hearing shall be limited to those issues that do not involve the reasonableness of Russellville's wholesale rate. Evidence regarding the reasonableness of Russellville's wholesale rate shall not be heard at the scheduled hearing.

6. Opening statements will be permitted at the scheduled hearing in this matter, but shall not exceed 5 minutes in length.

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

8. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

9. 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.

10. 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.

11. Following completion of the scheduled hearing, the Commission will determine if proceedings of Russellville's wholesale rate are required and will enter the appropriate Orders to implement such determination.

Done at Frankfort, Kentucky, this 5th day of December, 2001.

By the Commission

ATTEST:


Executive Director