

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CRESTBROOK PROPERTIES, LLC	)	
	)	
COMPLAINANT	)	
	)	
V.	)	CASE NO. 2001-00202
	)	
NORTHERN KENTUCKY WATER DISTRICT	)	
	)	
DEFENDANT	)	

O R D E R

The Complainant has moved for leave to file supplemental data requests and, in a separate motion, for an amendment to the procedural schedule allowing for additional time in which to file testimony. Defendant objects to the former, but not the latter, motion.

The Commission, finding good cause, hereby grants Complainant's motion to amend the procedural schedule to allow for additional time to file testimony. The Commission's granting of this motion is based, in part, on the fact that Complainant has not received all information requested of Defendant in a prior interrogatory.

The Commission, however, finds that Complainant has failed to demonstrate good cause as to why the Commission should allow Complainant to file supplemental data requests. Complainant has failed to explain for what reasons it failed, or was unable, to make the requests by the deadline as set out in the Commission's procedural

schedule. Moreover, Complainant may ask at hearing the questions that it seeks to ask via the supplemental data requests and, therefore, suffers no harm.

IT IS THEREFORE ORDERED that:

1. Complainant's motion to submit supplemental data requests is denied.
2. Complainant's motion to amend the procedural schedule to allow for additional time to file testimony is granted.
3. On or before July 10, 2002, 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 or any other evidence which the parties plan to introduce at hearing.
4. On or before July 25, 2002, 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.

Done at Frankfort, Kentucky, this 3<sup>rd</sup> day of July, 2002.

By the Commission

ATTEST:

Deputy W. H. Fowler  
Executive Director