

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF THE OPERATING CAPACITY)
OF MARTIN COUNTY WATER DISTRICT) CASE NO. 2002-00116
PURSUANT TO KRS 278.280)

ORDER

Martin County Water District (Martin District) has moved for a new discovery schedule and a new date for a final hearing in this matter. Having considered the motion, the Commission finds that good cause exists to grant it. We find that discovery by any party in this proceeding should begin only after Commission Staff has completed its examination of Martin District s records and facilities and submitted testimony on the results of that examination. This modification to the procedural schedule will ensure a more efficient discovery process and a complete identification of contested issues.

IT IS THEREFORE ORDERED that:

1. Martin District s Motion for A New Discovery Schedule is granted.
2. The procedural schedule set forth in Appendix A of this Order modifies and supersedes the procedural schedule set forth in Appendix B of the Commission s Order of July 1, 2002.
3. All discovery requests that have been served upon Commission Staff in this matter are stayed. Commission Staff shall respond to these requests in accordance with the procedural schedule set forth in Appendix A. Parties who have submitted such requests may supplement those requests in accordance with the revised procedural schedule.

4. All provisions of the Order of July 1, 2002 that are not in conflict with the provisions of this Order shall remain in effect.

Done at Frankfort, Kentucky, this 25th day of July, 2002.

By the Commission

ATTEST:

Deputy W^m H. Fowler
Executive Director

APPENDIX A

AN APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2002-00116 DATED July 25, 2002

Commission Staff may serve interrogatories and requests
for production of documents upon any party no later than 07/15/2002

Parties shall file with the Commission and serve upon all parties of
record responses to interrogatories and requests for production of
documents no later than..... 08/05/2002

Commission Staff may serve supplemental
interrogatories and requests for production of documents
upon other parties no later than 08/19/2002

Parties shall file with the Commission and serve upon all parties of
record responses to supplemental interrogatories and requests for
production of documents no later than 09/03/2002

Commission Staff or any party may take the testimony of
any person by deposition upon oral examination pursuant
to notice or by agreement on or until 09/03/2002

Commission Staff shall file with the Commission
and serve upon all parties the direct testimony in written form
of all persons* that it intends to call as witnesses in this matter
no later than 09/10/2002

All parties may serve interrogatories and requests for production
of documents upon other parties and Commission Staff no later than 09/20/2002

Commission Staff and all parties shall file with the Commission
and serve upon all parties of record responses to interrogatories
and requests for production of documents no later than 10/01/2002

Parties may serve supplemental interrogatories and requests
for production of documents upon other parties no later than 10/08/2002

Commission Staff and all parties shall file with the Commission

* For any witness who is considered hostile or who is expected to appear only under subpoena, Commission Staff is not required to submit his or her written testimony but shall provide the witness's name and a brief summary of his or her expected testimony.

and serve upon all parties of record responses to supplemental interrogatories and requests for production of documents no later than..... 10/18/2002

All parties shall file with the Commission and serve upon other parties a list of the persons who they intend to testify at the scheduled hearing in this matter and a detailed summary of their expected testimony no later than 10/25/2002

A hearing shall be held in this matter, in the Commission s offices at 211 Sower Boulevard, Frankfort, Kentucky to hear testimony..... 11/06/2002