

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF MALLARD )  
POINT DISPOSAL SYSTEMS, INC. FOR )  
A RATE ADJUSTMENT PURSUANT TO ) CASE NO. 2003-00284  
THE ALTERNATIVE RATE FILING )  
PROCEDURE FOR SMALL UTILITIES )

O R D E R

On October 31, 2003, Intervenor Winston Faircloth ( Faircloth ) and Intervenor James R. & Judith Marlowe ( Marlowe ) filed motions to strike the Interrogatories and Production of Documents ( Request ) filed by Mallard Point Disposal Systems, Inc. ( Mallard Point ), or alternatively, for addition time in which to file answers and responses ( Answers ) to the Request upon the grounds that the Requests are out of time. We have ruled by an Order dated November 3, 2003, on a similar motion by Intervenor Marvin Baker ( Baker ) to strike be denied. We deny the motion of Faircloth and Marlowe upon the grounds as stated in the Order of November 3, 2003. In that Order we extended the time in which to file Answers to the Requests an additional seven (7) days from the date of the Order to all parties.

The Commission, having been sufficiently advised, HEREBY ORDERS that the motions of Marlowe and Faircloth to strike are denied.

Done at Frankfort, Kentucky, this 4<sup>th</sup> day of November, 2003.

By the Commission

ATTEST:

*Wm. H. I. Barber*  
\_\_\_\_\_  
Deputy Executive Director