

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF DOE VALLEY UTILITIES, INC.	)	
FOR DETERMINATION AS TO	)	CASE NO.
JURISDICTIONAL STATUS OF DOE VALLEY	)	2003-00360
UTILITIES, INC. AND ADDITIONAL OR	)	
ALTERNATIVE DETERMINATIONS	)	

COMMISSION STAFF S NOTICE OF INFORMAL CONFERENCE  
AND  
FIRST DATA REQUEST OF COMMISSION STAFF  
TO DOE VALLEY UTILITIES, INC.

NOTICE OF INFORMAL CONFERENCE

Pursuant to 807 KAR 5:001, Section 4(4), Commission Staff requests that Doe Valley Utilities, Inc. ( Doe Valley Utilities ) and Meade County Water District ( Meade County ) appear for an informal conference on Thursday, November 13, 2003 at 10:00 a.m., Eastern Standard Time, in Conference Room 2 of the Commission s offices at 211 Sower Boulevard, Frankfort, Kentucky. Staff also gives notice to Randall Benham, Roy D. Benham, John and Sharon Jones, Wayne and Judy Russell, Edith Harrington and Vulcan Materials Company that they may also attend this conference if they wish to do so.

FIRST DATA REQUEST OF COMMISSION STAFF  
TO DOE VALLEY UTILITIES, INC.

Doe Valley Utilities, pursuant to 807 KAR 5:001, is to file with the Commission the original and 6 copies of the following information, with a copy to all parties of record.

The information requested herein is due 10 days from the date of this request. Careful attention should be given to copied material to ensure that it is legible.

Doe Valley Utilities has requested the Commission to determine if, given certain facts, Doe Valley Utilities will continue to be considered jurisdictional to the Commission under KRS 278.020(4).

In the Order granting the transfer of Doe Valley Utilities stock,<sup>1</sup> the Commission found that determining whether service is to the public depends upon how restrictive or exclusive the membership in the association is.

1. Considering that Doe Valley Utilities is wholly owned by Doe Valley Association, Inc. ( Doe Valley Assoc. ), does that fact itself make the service restrictive?

2. In the Order in Case No. 1992-00467, the Commission indicated that if the six non-resident customers of Doe Valley Utilities were included in the association, then Doe Valley Utilities might not be considered a utility under KRS Chapter 278. Why does Doe Valley Utilities consider the retention of only one of those customers to be any different?

3. In Case No. 1992-00467, one of the non-association customers was identified as an industrial customer. In Case No. 2002-00353,<sup>2</sup> Vulcan Materials was identified as a large user. Is Vulcan the industrial user identified in Case No. 1992-00467? If your answer is yes, then explain, in light of the Supply Deficit Report filed

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<sup>1</sup> Case No. 1992-00467, The Joint Application of Federal Deposit Insurance Corp., and Doe Valley Association, Inc., Order dated December 17, 1992 at 3.

<sup>2</sup> Case No. 2002-00353, Application of Doe Valley Utilities, Inc. For a Certificate of Convenience and Necessity For Construction and Financing an Upgrade to Water Treatment Facilities.

on July 30, 2003 in Case No. 2002-00353 and paragraphs 9 and 10 of this Petition, why Doe Valley Utilities should retain Vulcan.

4. If Doe Valley Assoc. and Doe Valley Utilities are separate entities, does either entity have any support for the proposition that the Commission has the authority to require a customer to join the association as a requirement of service?

5. Does Doe Valley Utilities have any correspondence with Meade County as to service to the six customers? If so, provide all documentation related to this issue.

6. What evidence, documents or witnesses will Doe Valley Utilities present to demonstrate Meade County's agreement to accept the non-association customers?



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Thomas M. Dorman  
Executive Director  
Public Service Commission  
P. O. Box 615  
Frankfort, Kentucky 40602

DATED October 28, 2003

cc: All Parties