

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DATHAN LEE LANE AND)	
DONALD PARKER)	
)	
COMPLAINANTS)	
)	
v.)	CASE NO. 2003-00399
)	
GARRARD COUNTY WATER ASSOCIATION)	
)	
DEFENDANT)	

O R D E R

On March 30, 2004, Donald Parker advised the Commission that he was unable to attend the scheduled hearing in this matter because of a recent injury and requested a continuance. The Commission granted the request and continued the matter generally. On October 20, 2004, the Commission entered an Order requiring Mr. Parker to advise the Commission of his ability to participate in further proceedings in this action. The October 20, 2004 Order also stated that if Mr. Parker failed to respond to the Order within the allotted time, his complaint would be dismissed with prejudice for failure to prosecute. As of the date of this Order, Mr. Parker has not responded to the Commission's October 20, 2004 Order; therefore, the Commission finds that Mr. Parker's complaint should be dismissed with prejudice.

On January 4, 2005, the Commission received from Dathan Lane, the other Complainant in this case, a request that he be allowed to withdraw his complaint. As

grounds for his request, Mr. Lane stated that a water main is currently being extended to his property. The Commission finds that Mr. Lane's complaint should be dismissed as satisfied.

IT IS THEREFORE ORDERED that:

1. Mr. Parker's complaint against Garrard County Water Association is dismissed with prejudice.
2. Mr. Lane's request to withdraw his complaint against Garrard County Water Association is granted.
3. This case is closed and is removed from the Commission's docket.

Done at Frankfort, Kentucky, this 25th day of January, 2005.

By the Commission

ATTEST:



Executive Director