

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INQUIRY INTO LIMITATIONS)	
OF USE FOR TARIFFED SERVICES)	ADMINISTRATIVE
DESIGNATED OR OTHERWISE)	CASE NO. 2005-00186
REFERRED TO AS UNLIMITED)	

O R D E R

On June 2, 2006, the Attorney General moved for a hearing in this case. The Attorney General requests that a formal hearing be held “at a date to be set in the near future by means of a supplemental order.”¹ As grounds for his motion, the Attorney General states that scheduling a hearing without a specific date would “give the Attorney General the time necessary to determine whether settlement can be reached with any parties in this matter.”²

The Commission grants the Attorney General’s motion in part and denies it in part. The Commission grants the Attorney General’s request that a hearing be scheduled, but does not grant his request that the hearing remain unscheduled. The Commission believes that it is preferable to set a date certain which could subsequently be changed as necessary. The Commission, therefore, finds that a hearing should be scheduled in this matter.

¹ Attorney General’s Motion to Request a Hearing Date at 1.

² Id.

The Attorney General has also filed a motion to compel, stating that some of the parties have failed to respond to some of his discovery requests. Since this motion was filed, some discovery responses have been forthcoming. The Commission finds that, at this time, it is reasonable to postpone ruling on the motion to compel, pending receipt of additional responses.

IT IS THEREFORE ORDERED that:

1. A formal hearing in this matter shall be held on December 19, 2006 at 9:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. Should the hearing not be finished on December 19, 2006, the hearing shall reconvene on December 20, 2006 at 9:00 a.m., Eastern Standard Time, at the same location.

2. Within 20 days of the date of this Order, the Attorney General shall file with the Commission the names of any parties that have failed to respond adequately to the Attorney General's discovery requests together with a description of alleged deficiency. Any response shall be filed within 10 days thereafter.

3. Any party to this proceeding may petition the Commission to amend the existing procedural schedule to allow for prefiling testimony or other documents.

Done at Frankfort, Kentucky, this 21st day of August, 2006.

By the Commission

ATTEST:



Executive Director