

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CLARK MCCOY, DEBBIE MCCOY, DAVID)	
VARGO, PATRICIA VARGO, MIKE)	
COCHRAN, IRENE COCHRAN, AND)	
DARRELL OWENS)	
)	
)	
COMPLAINANTS)	
)	
V.)	CASE NO. 2013-00092
)	
MOUNTAIN WATER DISTRICT)	
)	
)	
DEFENDANT)	

ORDER

The Complainants have filed a complaint with the Commission in which they allege that Mountain Water District has failed to extend sewer service to their residences and request that Mountain Water District be required to extend existing sewer facilities in the Belfry/Pond Creek area to serve them or construct a new sewer treatment facility to serve the area. In its Answer, Mountain District, while admitting that it does not presently serve the Complainants, states that it has made reasonable efforts to serve them.

Finding that a procedural schedule should be established in this proceeding, the Commission HEREBY ORDERS that:

1. The procedural schedule set forth in the Appendix to this Order shall be followed.

2. a. All responses to requests for information shall be appropriately bound, tabbed and indexed and shall include the name of the witness who will be responsible for responding to the questions related to the information provided, with copies to all parties of record and eight copies to the Commission.

b. Each response shall be under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. A party shall make timely amendment to any prior response if it obtains information that indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

3. Any party that files written testimony shall file with the Commission an original and eight copies. Written testimony shall be in verified form.

4. The parties shall consider any request for information from Commission Staff as if ordered by the Commission.

5. Service of any document or pleading in paper form shall be made in accordance with 807 KAR 5:001, Section 4(8). Service upon a party shall be considered completed upon delivery of the document or pleading to the party, upon

mailing the document or pleading to the party's address of record, or by sending it by electronic means to the electronic mail address listed on party's pleadings.

6. Any party filing a document or pleading with the Commission shall serve such document or pleading upon all other parties to this proceeding.

7. Any document or pleading that a party serves upon the other parties to this proceeding shall also be filed with the Commission.

8. At any hearing in this matter, neither opening statements nor summarization of direct or rebuttal testimony shall be permitted.

9. Direct examination of witnesses shall be limited to the authentication and adoption of that written testimony. No summarization of written testimony by the witness shall be permitted.

10. Witnesses who have filed written direct and rebuttal testimony shall present that testimony at the same sitting. Opposing parties may cross-examine such witnesses on both direct and rebuttal testimonies.

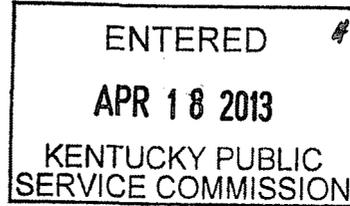
11. Motions for extensions of time with respect to the procedural schedule shall be made in writing and will be granted only upon a showing of good cause.

12. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), the record of the formal hearing in this matter shall be by videotape.

13. Briefs shall not exceed 40 pages in length. When referring to a segment of the digital video record in its brief, a party shall set forth the month, day, year, hour, minute, and second at which the reference begins, as recorded on the digital video record (e.g., VR: 08/10/13; 14:24:05).

14. Commission Staff shall make a written exhibit list and shall file this list with the Commission with all exhibits and a copy of the video transcript of the hearing.

By the Commission



ATTEST

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right. It is positioned over a horizontal line that serves as a signature line.

Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2013-00092 DATED **APR 18 2013**

Parties may file initial requests for information with the Commission
and served upon opposing parties no later than..... 05/03/2013

Parties' response to initial requests for information shall be filed with the
Commission and served upon opposing parties no later than 05/17/2013

Parties may file supplemental requests for information with the
Commission and served upon opposing parties no later than 05/31/2013

Parties' response to supplemental requests for information shall be filed with
the Commission and served upon opposing parties no later than 06/14/2013

Complainants shall file with the Commission the written testimony
of its witnesses, in verified form, no later than 06/28/2013

Requests for information to Complainants shall be filed with the Commission
and served upon Complainants no later than 07/12/2013

Complainants' responses to requests for information shall be filed with the
Commission and served upon all parties no later than 07/26/2013

Mountain Water District shall file with the Commission the written testimony
of its witnesses, in verified form, no later than 08/09/2013

Requests for information to Mountain Water District shall be filed with the
Commission and served upon Mountain Water District no later than 08/23/2013

Mountain Water District's responses to supplemental requests for information
shall be filed with the Commission and served upon all parties no later than .. 09/06/2013

Complainants shall file rebuttal testimony, in verified form, no later than 09/20/2013

An conference call shall be held at the Commission's offices in
Frankfort, Kentucky for the purpose of considering the possibility of
settlement, the simplification of issues, and any other matters that may
aid in the handling or disposition of this case, beginning at 10:00 a.m.,
Eastern Daylight Time, on 10/02/2013

Public Hearing is to begin at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, for the purpose of cross-examination of witnesses 10/16/2013

Written Briefs, if any, shall be filed with the Commission no later than 11/15/2013

Christian R Harris
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Roy Sawyers
District Administrator
Mountain Water District
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