

Commonwealth of Kentucky
Before the Public Service Commission

In the Matter of:

APPLICATION OF HENRY COUNTY WATER)
DISTRICT NO. 2 FOR APPROVAL TO ADJUST) Case No. 2009-00370
WATER RATES AND CHARGES, CONSTRUCT)
AND FINANCE A PROPOSED WATERWORKS)
PROJECT, AND IMPLEMENT A SYSTEM)
DEVELOPMENT CHARGE)

ATTORNEY GENERAL'S RESPONSE TO
APPLICANT'S MOTION FOR CANCELLATION OF HEARING
SCHEDULED FOR JUNE 15, 2010 SUBMISSION OF
CASE FOR A DECISION

The Attorney General provides his response to the Applicant's Motion for a cancellation of the public hearing scheduled for 15 June 2010 and a submission of the case for a decision. While the Attorney General reserves the right to participate in any hearing that the Commission may hold in this matter, he does not request a hearing and has no objection to the cancellation of the hearing. In the event that a hearing is held on 15 June, the Attorney General notes that (because of resource limitations) he may not have a representative at the hearing. In that event, he wishes to make clear that he does not object to the hearing being held in his absence.

With regard to the submission of the case for a decision, the Attorney General notes that he does not plan to add evidence to the record. Further, he does not request an opportunity to brief the matter. Therefore, he has no objection to submitting the matter to the Commission for a decision based upon the current record, which now includes a "stipulation" through which the Applicant documents the results of an informal conference with Commission Staff. The stipulation memorializes the recommendations and observations of Commission Staff and the Applicant's agreement to modify or otherwise conform its request to the recommendations and observations of Staff. The Attorney General has seen the stipulation, and he does not object to it or to its introduction into the evidentiary record. (The Attorney General has, through a separate action by his counsel in the Office of Rate Intervention, signed the stipulation acknowledging his review of the document.)

WHEREFORE, the Attorney General submits this Response.

Respectfully submitted,

JACK CONWAY
ATTORNEY GENERAL

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Notice of Filing, Certifications, and Notice of Service

Undersigned counsel provides the following notice with regard to the filing of this material, certifications for the filing, and notice of the service of information to the other parties of record. Pursuant to Ordering paragraph 2 of the Commission's 5 February Order of procedure, the Attorney General files the original and one copy in paper medium and one copy of the public version in electronic medium.

Per Ordering paragraph 6 of the February 5th Order of procedure, undersigned counsel certifies that the electronic version is a true and accurate copy of the material filed in paper medium, the electronic version has been transmitted to the Commission, and notice has been provided to the Commission and the other parties of record, by electronic mail, that the filing has been transmitted to the Commission. With regard to the electronic filing, in conformity with Ordering paragraph 4 of the February 5th Order, the Attorney General has submitted his electronic copies of the information by uploading the material to the PSC's Web Application Portal at https://psc.ky.gov/psc_portal/. With regard to the original public version and corresponding paper copy, the material will be filed at the Commission's offices on the next business day following the electronic filing (consistent with the instruction contained in ordering paragraph 12 of the February 5th Order).

The Attorney General has provided notice to the Commission and other parties, by electronic mail, of this filing with notice to the following:

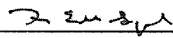
baxterlaw@me.com;

cjlee52@roadrunner.com;

jamestsimpson@att.net; and

taxes@rcwcpas.com.

The electronic filing took place on 11 June 2010 with the filing of the documents in paper medium scheduled for 14 June 2010.



Assistant Attorney General