

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC PROPOSED)
ADJUSTMENT OF THE WHOLESALE) CASE NO. 2017-00417
WATER SERVICE RATES OF)
LEBANON WATER WORKS)

**RESPONSE TO MOTION FOR LEAVE
TO FILE A SUR-REPLY**

Pursuant to 807 KAR 5:001, Section 5(2), Lebanon Water Works Company (the “Company”), by counsel, submits this Response to *Motion for Leave to File a Sur-Reply in Opposition to Motion for an Order Establishing a Procedural Schedule and Assigning Burden of Proof* (“Motion for Leave”) of Marion County Water District (“Marion District”). In support of its Response, the Company states as follows:

No authority exists under which Marion District may file a sur-reply. Deviations from the motion practice rules may occur, but only in “special cases, for good cause shown.”¹ Marion District’s Motion for Leave shows no good cause to warrant a deviation from the Commission’s regulations.

As required by 807 KAR 5:001, Section 5(3), the Company limited its *Reply to Response to Motion for an Order Establishing a Procedural Schedule and*

¹ 807 KAR 5:001, Section 22.

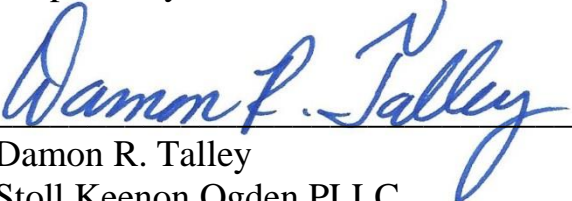
Assigning Burden of Proof to points raised in Marion District's Response. The Company's Reply did not reiterate already-presented arguments and was squarely within the Commission's rules.

WHEREFORE, Marion District's Sur-Reply is not allowed under the Commission's rules and the Motion for Leave shows no good cause to permit a deviation from the rules. For this reason, the Motion for Leave should be denied.

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Dated: February 19, 2018

Respectfully submitted,



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Company*

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that Lebanon Water Works Company's February 19, 2018 electronic filing of this Response is a true and accurate copy of the same document being filed in paper medium; that the electronic filing has been transmitted to the Commission on February 19, 2018; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that an original and one copy in paper medium of this Response will be delivered to the Commission on or before February 21, 2018.



Damon R. Talley