

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LOGAN TELEPHONE COOPERATIVE, INC.)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2021-00248
)	
EAST LOGAN WATER DISTRICT)	
)	
DEFENDANT)	

JOINT MOTION TO AMEND ORDER OF NOVEMBER 3, 2022

East Logan Water District and Logan Telephone Cooperative, Inc. (“Movants”) jointly move to amend the Order of November 3, 2022 (“the Order”) to provide for a mutually agreeable discovery schedule in this matter. In support of their motion, the Movants state:

1. On November 3, 2022, the Public Service Commission issued an order in this matter establishing a schedule for the parties to conduct discovery. That order permitted that each party, among other things, to serve two sets of requests for information on the opposing party. However, it further provided that the first requests for information were to be served no later than October 28, 2022, which is six days prior to the Order’s issuance.

2. Given the date of the Order, the parties will effectively have only one opportunity for discovery requests. East Logan Water District requested two opportunities for discovery, and the Order clearly intended that each party would be permitted two opportunities, thus East Logan Water District seeks to revise the Order to effectuate its intended purpose. While Logan Telephone Cooperative does not feel two rounds of discovery are necessary, given the language of the Order, it does not object to revising the Order as requested by East Logan Water District.

3. The Movants have agreed upon a proposed discovery schedule, which is set forth in Exhibit A to this Motion. This schedule is generally consistent with that found in the Order. It allows for two rounds of discovery with generally the same period of time for each party to prepare its requests for information and to respond to the opposing party's request for information. It also takes into account the Thanksgiving and Christmas holidays. It permits the scheduling of a hearing in this matter in early 2023.

WHEREFORE, the Movants request that the Public Service Commission amend its Order of November 3, 2022 to reflect and adopt the proposed discovery schedule attached as Exhibit A to this Motion.

Dated: November 7, 2022

Respectfully submitted,

/s/ Gerald E. Wuetcher
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Counsel for Logan Telephone Cooperative, Inc.

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8 and the Commission's Order of July 22, 2021 in Case No. 2020-00085, I certify that this document was transmitted to the Public Service Commission on November 7, 2022 and that no parties have been excused from electronic filing procedures.

/s/ Gerald E. Wuetcher
Gerald E. Wuetcher

EXHIBIT A

PROPOSED PROCEDURAL SCHEDULE

Each Party may file with the Commission its First Request for Information to the opposing party no later than..... 11/18/2022

Responses to First Request for Information shall be filed with the Commission no later than 12/09/2022

Each Party may file with the Commission its Second Request for Information to the opposing party no later than..... 12/23/2022

Responses to Second Request for Information shall be filed with the no later than..... 01/10/2023