

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In the Matter of:

Alleged Failure of the City of Danville to Comply with
KRS 278.160 and 278.180 and the Commission's
Order of August 10, 1994 in Administrative Case
No. 351

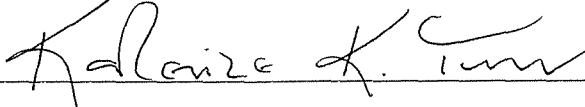
Case No. 2008-00176

Motion to Dismiss

By Notice dated January 22, 2009, the City of Danville ("Danville") pointed out that only Parksville Water District ("Parksville") had responded to its 12/31/08 data requests and that the lack of a response by others called into question whether this proceeding should continue. Throughout this proceeding, Danville has repeatedly sought clarification of the issues and allegations against it so that it might have due notice and an adequate opportunity to be heard; the requested clarification has not been forthcoming. Therefore, this investigation should be dismissed for lack of prosecution/interest and Parksville's complaint proceeding (Case No. 2007-00405) should be returned to the active docket.

Respectfully submitted,

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By: 

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CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this the 9th day of February, 2009, the original and ten (10) copies of this Motion to Dismiss were sent by first-class mail for filing with and service on the Commission, and a copy was sent by first-class U.S. mail for service on:

John N. Hughes, Esq.
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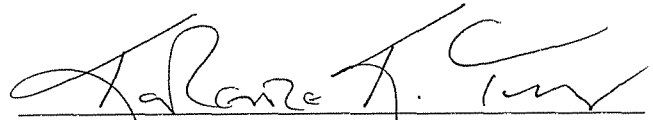
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