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February 1, 2010

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FEB 01 2010

PUBLIC SERVICE
COMMISSION

Mr. Jeff DeRouen
Executive Director
Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602

**RE: *Application of Big Bear Wastewater, Inc. for an Adjustment of Rates
Case No. 2009-00171***

Dear Mr. DeRouen:

Please find enclosed an original and ten copies of Big Bear Wastewater, Inc.'s Witness List.

Please acknowledge receipt of this filing by placing your file-stamp on the extra copy and returning to me via our runner.

Very truly yours,

STOLL KEENON OGDEN PLLC

Deborah T. Eversole

Enclosure

cc: Parties of Record

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In the Matter of:

APPLICATION OF BIG BEAR WASTEWATER,) CASE NO.
INC. FOR AN ADJUSTMENT OF RATES) 2009-00171

WITNESS LIST OF BIG BEAR WASTEWATER, INC.

Big Bear Wastewater, Inc. ("Big Bear"), by counsel, states that it will call the following witnesses if a hearing is held in this case:

1. Richard O. Meier, owner and operator of Big Bear, will testify as to the expense of owning, operating and maintaining the sewer service supplied by Big Bear as demonstrated in the record in this case, including Big Bear's responses to the data requests of Commission Staff and the intervenors. Mr. Meier will also testify as to his thirty-six years of experience operating a wastewater system; the permitting requirements that mandated almost tripling of the size of the treatment plant that had served Big Bear Resort as a result of the construction of the condominiums (from 12,000 gallon capacity to 35,000 capacity); and the rate case expense incurred by Big Bear in this case that is not included in the Application or the Commission Staff Report of January 22, 2010. Mr. Meier will present exhibits documenting that additional expense.

2. Jack Kaninberg, owner of Kentucky Small Utility Consulting, LLC, will testify as to the reasonableness of the revenue requirement and rates requested in the Application, pursuant to ordinary Commission practices and commonly accepted small sewer utility practices in the Commonwealth. Mr. Kaninberg will also testify as to specific issues raised by Staff Report and

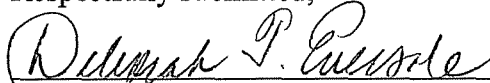
to issues raised by the intervenors, including, but not limited to, the appropriateness of Big Bear's choice of the small sewer utilities to whose operation and maintenance fee Big Bear's should be compared, and the reasons that Airview Utilities, LLC's \$8,400 routine maintenance service fee is not, on a stand-alone basis, reasonably comparable to Big Bear's (for example, in addition to the \$8,400 maintenance fee, Airview also books other operations and maintenance expenses, including an additional \$9,130 as "Other-Labor, Materials and Expense," whereas Big Bear books no comparable expenses). Exhibits to be offered include publicly-available documents containing financial information about Airview as well as about those utilities to which Big Bear compared its operation and maintenance requirement.

3. Next, Big Bear will respond to numerous issues raised by the Attorney General and the Dens Condominium Association in their filings that Big Bear received shortly before the close of business on Friday, January 29. These issues range from questions and criticisms directed at almost every aspect of the Staff Report to demands that the record be supplemented by documentation of 2008 expenses by Big Bear. As the Commission is aware, during the five months between the filing of this case and the first intervention, Staff performed an on-site review of Big Bear's operations, during which Staff had access to all the documents to whose absence in the case record the intervenors now object. However, in an effort to address the issues as fully as possible and as quickly as possible, and to afford all parties a complete understanding of the situation, Big Bear is in the process of preparing an exhibit to be sponsored by Mr. Kaninberg that will establish that the adjustments recommended by Staff do, in fact, result in a final revenue requirement almost identical to that recommended by Staff. That exhibit will include Big Bear's 2008 General Ledger and documentation of 2008 expenses. Big Bear

will make every effort to complete this exhibit and file it with the Commission, with service on all parties, this week, so that hearing preparation can be facilitated.

4. Other than the documents described herein, Big Bear does not at this time anticipate offering at hearing any exhibits that are not already of record in this case. Nor does it anticipate calling any witnesses in addition to Mr. Meier and Mr. Kaninberg. However, Big Bear reserves the right to offer witnesses, testimony, and exhibits as necessary to rebut any evidence that may be offered at hearing.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that, on this 1st day of February, 2010, a full and complete copy of the foregoing was sent by United States Mail, postage prepaid, to the persons listed below:

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