

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF

JAMES S. WAYNE, INDIVIDUALLY AND AS )  
TRUSTEE OF THE JAMES S. WAYNE )  
LIVING TRUST )

COMPLAINANT )

VS )

HENRY COUNTY WATER DISTRICT #2 )

DEFENDANT )

RECEIVED

NOV 5 2009  
PUBLIC SERVICE  
COMMISSION

CASE NO. 2009-00264

INTERROGATORIES, AND REQUEST FOR PRODUCTION OF DOCUMENTS

\*\*\*\*\*

Comes the Defendant, Henry County Water District #2, pursuant to the Order entered herein on October 23, 2009 setting forth the procedural schedule, and propounds the following Interrogatories and Request for Production of Documents to Complainant, said discovery to be answered separately and under oath.

**INTERROGATORY No. 1.** Please state the full name(s) of the person(s) answering these interrogatories for Complainant.

**ANSWER:**

**INTERROGATORY No. 2.** Please state the name, address and the phone numbers of any person who has relevant knowledge of the transactions that are the subject matter of this hearing.

**ANSWER:**

**INTERROGATORY No. 3.** Please state the name, address and the phone numbers of any person you intend to call as a witness in the hearing of this matter. Provide a detailed summary of the witnesses' expected testimony.

**ANSWER:**

**INTERROGATORY No. 4.** Please list and identify all exhibits or items of tangible evidence that you intend to offer as evidence or you will use at the hearing of this matter.

**ANSWER:**

**INTERROGATORY No. 5.** Please provide any written, oral or other types of statements made by Defendant to Complainant or any agent of Complainant about the subject matter of this hearing.

**ANSWER:**

**INTERROGATORY No. 6.** Please state in detail the basis for Complainant's allegation that the purchase price of the "Farm" included the purchase of a water line on McCarty Lane in Henry County.

**ANSWER:**

**INTERROGATORY No. 7.** Please identify the Public Service Commission staff person referred to in Paragraph 5 of the Complaint, and provide a detailed outline of the statements made by said staff person to counsel for the Complainant.

**ANSWER:**

**INTERROGATORY No. 8.** Please state in detail the basis for Complainant's allegation in paragraph 6 that the James S. Wayne Living Trust is the sole owner of the water line Complainant refers to as the "Wayne water line."

**ANSWER:**

**INTERROGATORY No. 9.** Please state in detail the basis for Complainant's allegations in paragraph 9 of the Complaint that the value to construct the "Wayne water line" is \$33,987.00 and that the depreciated value of the line is an estimated one-half of this amount.

**ANSWER:**

### **REQUESTS FOR PRODUCTION OF DOCUMENTS**

#### **Production of Documents No. 1**

Please attach any written or other types of statements made by Defendant to Complainant, or to anyone in Complainant's presence, about the subject matter of this litigation.

Response:

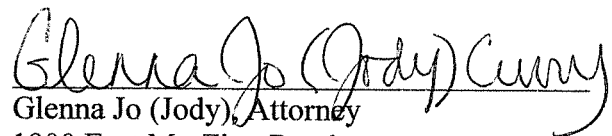
**Production of Documents No. 2**

Please attach all records in Complainant's possession, or in another person's possession and being held for Complainants, related to the subject matter of this hearing, including but not limited: (1) closing documents for the transactions referred to in paragraph 3 of the Complaint; (2) deeds recorded as a result of the transactions referred to in paragraph 3 of the Complaint; (3) easements recorded for the water line Complainant claims to own; (4) title opinions obtained for the property which is the subject of the transactions referred to in paragraph 3 of the Complaint; and (4) any written estimates or invoices for the construction of the water line Complainant claims to own.

Response:

**Production of Documents No. 3**

Please provide copies of exhibits or items of tangible evidence Complainant intends to offer into evidence at the hearing on this matter.



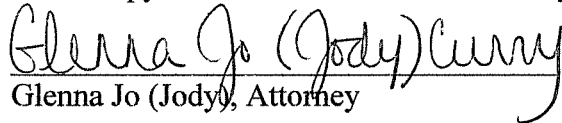
Glenna Jo (Jody) Curry, Attorney  
1900 East Mt. Zion Road  
Crestwood, Kentucky 40014  
(502) 222-9808  
Facsimile (502) 225-0924  
COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that that the foregoing was served by US Mail, postage pre-paid to the following this 4<sup>th</sup> day of November, 2009:

W. Henry Graddy, IV  
W.H. Graddy & Associates  
P.O. Box 4307  
Midway, Kentucky 40347

And a copy served to same on same date by facsimile to: 859-846-4914

  
Glenna Jo (Jody), Attorney