

Commonwealth of Kentucky
Before the Public Service Commission

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**PUBLIC SERVICE
COMMISSION**

In the Matter of:

AN INVESTIGATION INTO THE CONDITION AND)
MANAGEMENT OF BIG VALLEY SANITATION,) Case No. 2009-00378
INC. AND WOODLAND ACRES SANITATION,)
INC. SEWAGE TREATMENT FACILITIES)

ATTORNEY GENERAL'S
MOTION FOR A REASSIGNMENT
OF THE HEARING DATE

The Attorney General, in response to the Commission's 6 April 2010 Order of procedure establishing 29 April 2010 as the hearing date for the purpose of hearing evidence on the alleged abandonment of the sewage collection and treatment facilities that Big Valley Sanitation, Inc., and Woodland Acres Sanitation, Inc., own and the need to place these facilities under the control and responsibility of a receiver, moves this Commission for a reassignment of the hearing date. In support of his Motion, the Attorney General states:


The Assistant Attorney General assigned to the case is not available for the 29 April 2010 hearing. Given the relative complexity of the case in tandem with the limited resources of the OAG, reassignment of the case to another attorney within the Office would impose an undue and unworkable hardship on the Attorney General.

The OAG has been in contact with counsel for the Division of Water (a party of record) as well as counsel for the Bullitt County Sanitation District, and counsel for Joe Murphy (an entity and individual that may assert an interest in this proceeding). Consequent to these discussions, the Attorney General respectfully recommends that the Commission consider May 19th, May 21st, or May 25th as possible dates for the reassignment of the hearing.

The OAG has tried to contact counsel for the Estate of John Ford (a party of record) as well as counsel for the City of Shepherdsville (an entity that may assert an interest in this proceeding). The Attorney General was unable to discuss the tentative dates with counsel.

Respectfully submitted,

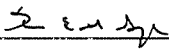
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Certificate of Service and Filing

Counsel certifies that an original and ten photocopies of this Motion were served and filed by hand delivery to Jeff Derouen, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; furthermore, it was served by mailing a true and correct of the same, first class postage prepaid, Josh W. Nacey, Office of General Counsel, 200 Fair Oaks, 1st Floor, Frankfort, Kentucky 40601 (Counsel for the Energy and Environment Cabinet); Robert J. Bohnert, 1500 Kentucky Home Life Building, Louisville, Kentucky 40202 (Counsel for the Estate of John Ford); Charles Gibbons, Receiver, Big Valley Sanitation, Inc., 7726 Heights Drive, Louisville, Kentucky 40291; Charles Gibbons, Receiver, Woodland Acres Sanitation, Inc., 7726 Heights Drive, Louisville, Kentucky 40291; and Sandy Gruzesky, Director, Division of Water, 200 Fair Oaks Lane, Fourth Floor, Frankfort, Kentucky 40601, all on this 13th day of April, 2010. A courtesy copy was also sent, by electronic mail to the following: Robert C. Moore (Counsel for Joe Murphy) RMoore@hazelcox.com; Walter Sholar (Counsel for Bullitt County Sanitation District) wsholar@hotmail.com; and William Wilson (Counsel for the City of Shepherdsville) wilsonky@bellsouth.net.



Assistant Attorney General