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July 2, 2010

RECEIVED  
JUL 02 2010  
PUBLIC SERVICE  
COMMISSION

Jeff Derouen, Executive Director  
Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, KY 40602-0615

Re: Case No. 2009-00483, JTB Real Estate LLC dba Tarleton Crossing Apartments v. Kentucky American Water Company

Dear Mr. Derouen:

Enclosed are the original and ten (10) copies of Kentucky-American Water Company's Data Requests to Complainant pertaining to the case referenced above. Please do not hesitate to contact me if you have questions.

Sincerely,

  
A. W. Turner, Jr.  
Vice-President and In-house Counsel

Enclosure(s)

Cc: Attention: Jeff Bradshaw  
JTB Real Estate LLC dba Tarleton Crossing Apartments  
640 Bold Bidder Drive  
Lexington, KY 40517

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**Case No. 2009-00483**

JTB Real Estate, LLC d/b/a Tarleton  
Crossing Apartments

COMPLAINANT

v.

Kentucky-American Water Company

RESPONDENT

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COMMISSION

**KENTUCKY-AMERICAN WATER COMPANY'S**  
**DATA REQUESTS TO COMPLAINANT**

In accordance with the Public Service Commission's ("Commission") June 21, 2010, Order, Kentucky-American Water Company ("KAW") propounds the following data requests upon Complainant. Complainant shall respond to these requests in accordance with the provisions of the Commission's June 21, 2010, Order and the instructions set forth below.

**INSTRUCTIONS**

1. In producing documents and things responsive to these requests, Complainant ("you") shall respond in accordance with the requirements set forth in the Commission's June 21, 2010, Order and the production shall be organized and labeled to correspond with the data requests to which they are responsive, regardless of whether these documents and things are possessed directly by you or by your present or past agents, employees, companies, licensees, representatives, investigators, or attorneys.

2. If the attorney-client privilege or work product immunity is asserted as to any document or thing, or if any document or thing is not produced in full, produce the document or

thing to the extent the request for production is not objected to, and, in so doing, state the following:

- (a) the specific ground(s) for not producing the document or thing in full;
- (b) the basis for such a claim of privilege or immunity and the facts supporting that basis; and
- (c) fully identify the information or material contained within the document or thing for which such privilege or immunity is asserted, including as applicable, the name of any document or thing; its date; the name, address and job title of each author or other person involved in its preparation, each addressee and each person to whom a copy of the document or thing has been sent or received; and the general nature of the document or thing (e.g., memoranda, letter).

3. Where an objection is made to a request, state all grounds upon which your objection is based.

4. If, after exercising due diligence, you are unable to determine the existence of any documents or things falling within a specific request, you shall so state in your written response.

5. With respect to each of the following requests, you shall identify and/or produce all documents which are known to you or which can be located or discovered by you through diligent effort on your part, including all documents that are in your business, personnel, and/or personal files or those of your present or past employees or contained or stored within a computer in your possession or those of your present or past representatives, attorneys, or accountants, or accessible to you or your present and past employees, or its representatives, attorneys, or accountants.

6. Whenever used, the singular shall be considered to include the plural and the plural shall be considered to include the singular and the disjunctive shall be considered to include the conjunctive and the conjunctive shall be considered to include the disjunctive so as to elicit all information potentially responsive to the request for production.

### **REQUESTS**

**INTERROGATORY 1:** Identify each person who has personal knowledge of the facts and circumstances alleged in the Complaint. As to each such person, give a complete description of the knowledge or information possessed by that person and the allegation to which that person's knowledge relates, identify all documents relating to such person's knowledge or information and state whether that person has given a statement(s), and if so, when, to whom and in whose possession the original and copies of the statement(s) currently rest.

**INTERROGATORY 2:** Identify each person whom you expect to call as a witness at the hearing in this case. For each such person, state the following:

- a. the person's name, home and business address and profession or occupation;
- b. subject matter on which that person is expected to testify;
- c. the substance of the facts and any opinions to which the person is expected to testify;
- d. a summary of the grounds for any such opinions.

**INTERROGATORY 3:** Provide an itemization by type and amount of all damages claimed. As to each category of damages claimed, explain the method of computation or calculation of the

amount of damage, including any formulas, factual predicates, or assumptions used to determine those amounts, and identify all documents relevant to the claim for that element of damages. Please produce copies of all identified documents.

**INTERROGATORY 4:** Identify any letters, calendars, date books, diaries, journals, notebooks, notes, memoranda, audio or video recordings, computer documents, computer disks, photographs, or any other documents regarding, relating to, referring to or recording the facts or events which give rise to the allegations in the Complaint, including any documents supporting a claim for reimbursement of expenses. Please produce copies of all identified documents.

**INTERROGATORY 5:** Identify all facts, circumstances and documents that support the allegations contained in the Complaint that the charges for utility service rendered in 2008 and 2009 were incorrect. Please produce copies of all identified documents.

**INTERROGATORY 6:** Identify all facts, circumstances and documents which support the allegations contained in paragraph 2 of the Complaint that the meter readings for meter # 522872 (the street meter) “were high.” Please produce copies of all identified documents.

**INTERROGATORY 7:** Identify all facts, circumstances and documents which support the allegations contained in paragraph 2 of the Complaint that JTB incurred “expenditures” related to the allegations in paragraph 2. Please produce copies of all identified documents.

**INTERROGATORY 8:** Identify all facts, circumstances and documents which support the allegations contained in paragraph 2 of the Complaint that “it was determined that faulty installation by KAWC had caused a large water leak.” Please produce copies of all identified documents.

**INTERROGATORY 9:** Identify all facts, circumstances and documents which support the allegations contained in paragraph 4 of the Complaint that “the street meter continued to have reported readings that exceeded historic usage.” Please produce copies of all identified documents.

**INTERROGATORY 10:** Identify all facts, circumstances and documents which support the allegations contained in paragraph 4 of the Complaint that JTB incurred “expenditures” related to the allegations in paragraph 4. Please produce copies of all identified documents.

**INTERROGATORY 11:** Identify all facts, circumstances and documents which support the allegations contained in paragraph 4 of the Complaint that “the reading for the replacement meter was in line with historic usage.” Please produce copies of all identified documents.

**INTERROGATORY 12:** Identify all facts, circumstances and documents which support the allegations contained in paragraph 4 of the Complaint that, upon reinstallation of the street meter in late August 2009, “readings reported thereafter are, once again, in excess of historic levels.” Please produce copies of all identified documents.

**INTERROGATORY 13:** Identify all facts, circumstances and documents which support the allegations contained in paragraph 5 of the Complaint that the readings reported for meter # 522874 (the laundry meter) “were high.” Please produce copies of all identified documents.

**INTERROGATORY 14:** Identify all facts, circumstances and documents which support the allegations contained in paragraph 5 of the Complaint that JTB incurred “expenditures” related to the allegations in paragraph 5. Please produce copies of all identified documents.

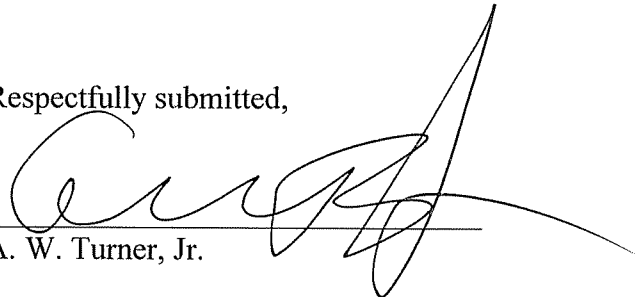
**INTERROGATORY 15:** Identify all facts, circumstances and documents which support the allegations contained in paragraph 5 of the Complaint that “it is unclear whether the replacement meter was read accurately for the 10-15 days it was in service at the premises.” Please produce copies of all identified documents.

**INTERROGATORY 16:** Identify all facts, circumstances and documents which support the allegations contained in paragraph 6 of the Complaint that (a) “in doing work at that meter location, KAWC caused damage and a water leak in pipes on JTB’s side of the meter” and (b) “JTB incurred substantial costs in repairing the damage done.” Please produce copies of all identified documents.

**INTERROGATORY 17:** Identify all facts, circumstances and documents which support the allegations contained in paragraph 5 of the Complaint that, after reinstallation, “readings reported thereafter on the laundry meter are above historic levels.” Please produce copies of all identified documents.

**INTERROGATORY 18:** Identify all facts, circumstances and documents which support the allegations contained in paragraph 9 of the Complaint that readings from a remote reading replacement meter “have been at the high end or slightly above historic usage.” Please produce copies of all identified documents.

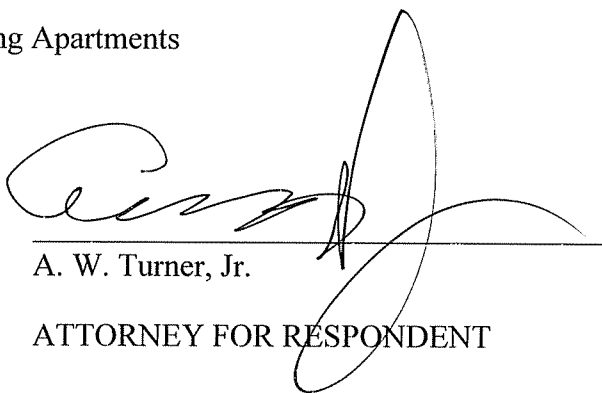
Respectfully submitted,

  
A. W. Turner, Jr.

**CERTIFICATE OF SERVICE**

I certify that I have served a true copy of the foregoing by regular U.S. mail, postage prepaid, this 2nd day of July, 2010, upon the following:

Jeff Bradshaw  
JTB Real Estate LLC dba Tarleton Crossing Apartments  
640 Bold Bidder Drive  
Lexington, KY 40517

  
A. W. Turner, Jr.

ATTORNEY FOR RESPONDENT