

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

FOREST CREEK, LLC

COMPLAINANT

vs.

JESSAMINE- SOUTH ELKHORN WATER DISTRICT

DEFENDANT

Case No. 2011-00297

RECEIVED

MAR 29 2012

PUBLIC SERVICE  
COMMISSION

**INFORMATION REQUESTS SERVED BY FOREST CREEK, LLC UPON  
JESSAMINE-SOUTH ELKHORN WATER DISTRICT**

Comes Forest Creek, LLC (“Forest Creek”), by counsel, and for its Information Requests to Jessamine - South Elkhorn Water District (“Water District”), states as follows:

**Information Request No. 1:** Please identify the rules issued or followed by the Water District from January 1, 2005 through March 1, 2012, in reviewing, denying and/or approving an application for a water extension.

**Answer:**

**Information Request No. 2:** Please identify the personnel, including but not limited to outside contractors, at the Water District that determined during the time period from January 1, 2005 through March 1, 2012, whether an application for water line extension is approved or denied, and provide a brief summary of each person’s duties in this process.

**Answer:**

**Information Request No. 3:** Please provide a copy of the contract to be entered into by individuals or entities selecting Option I when requesting a water line extension from the Water

District during the time period from January 1, 2005 through March 1, 2012.

**Answer:**

**Information Request No. 4:** Please provide a copy of the contract to be entered into by individuals or entities selecting Option II when requesting a water line extension from the Water District during the time period from January 1, 2005 through March 1, 2012.

**Answer:**

**Information Request No. 5:** Please state the number of individuals or entities selecting Option I when requesting a water line extension from the Water District since January 1, 2000.

**Answer:**

**Information Request No. 6:** Please state the number of individuals or entities selecting Option II when requesting a water line extension from the Water District since January 1, 2000.

**Answer:**

**Information Request No. 7:** Please identify the Water District rule or regulation in existence from January 1, 2000 that prevents an individual or entity from changing its selection from Option 1 to Option II when requesting a water line extension from the Water District.

**Answer:**

**Information Request No. 8:** Please state the date when Forest Creek submitted to the Water District its application for water line extension.

**Answer:**

**Information Request No. 9:** Please state the dates when Forest Creek submitted for approval its plans for the construction of its water line extension to the Water District.

**Answer:**

**Information Request No. 10:** Please identify the engineer that reviewed each of the plans submitted for the construction of Forest Creek's water line extension.

**Answer:**

**Information Request No. 11:** Please provide copies of any documents issued by the Water District, its employees, officers or contractors, concerning the plan submitted to the Water District concerning the construction of Forest Creek's water line extension, including but not limited to any documents denying the plans and stating the reasons for the denial of the plans.

**Answer:**

**Information Request No. 12:** Please identify the individuals or entities that have submitted to the Water District one or more applications for water extension since January 1, 2000, and for each, state the date the application was submitted and the date it was approved or denied.

**Answer:**

**Information Request No. 13:** Please identify any individuals or entities to which the Water District has offered free or reduced rates or service since January 1, 2000, and state whether such individual or entity is an officer, agent or employee of the Water District.

**Answer:**

**Information Request No. 14:** Please state whether any individuals employed by Horne Engineering are also employees of the Water District.

**Answer:**

**Information Request No. 15:** Please identify the third parties that have provided engineering services to the Water District at any time during the time period from January 1,

2000 to March 15, 2012, and if so, please state the name of the third party that provided engineering services to the Water District.

**Answer:**

**Information Request No. 16:** Please state whether any of the third parties identified in the answer to Information Request No. 15 above, have provided engineering services to entities or individuals that have applied to the Water District for a water line extension, and identify the third parties that have done so.

**Answer:**

**Information Request No. 17:** Please state whether the contracts entered into by the individuals or entities wishing to obtain water line extensions from the Water District, including but not limited to the Water District's Interim Water Service Agreement, have been approved by the Commission, and if so, how they were approved.

**Answer:**

**Information Request No. 18:** Please state the total amount that Forest Creek has been required to pay to the Water district for engineering fees.

**Answer:**

**Information Request No. 19:** Please state the total amount that Forest Creek has been required to pay to the Water District for attorneys fees.

**Answer:**

**Information Request No. 20:** Please identify each individual or entity that initially chose Option I or Option II in constructing a water line extension and was then allowed by the Water District to switch to constructing the water line extension under a different option.

**Answer:**

**Information Request No. 21:** Please identify each guideline, rule or regulation provided by the Water District to Horne Engineering or other third party contractors for use in reviewing water line extension construction plans.

**Answer:**

**Information Request No. 22:** For each of the third parties identified in your answer to Information Request No. 16, please state the amount paid to each of these third parties in each of the following years: 2005, 2006, 2007,2008, 2009, 2010 and 2011.

**Answer:**

**Information Request No. 23:** Please provide a copy of any agreements entered into from January 1, 2000 to March 1, 2012 by the Water District and any governmental agency, including but not limited to municipalities, concerning water lien extensions to the governmental agencies or to third parties.

**Answer:**

Respectfully submitted,

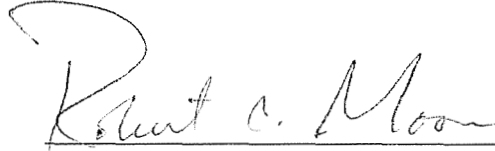


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Robert C. Moore  
Hazelrigg & Cox, LLP  
415 West Main Street, 1<sup>st</sup> Floor  
P. O. Box 676  
Frankfort, KY 40602-0676  
Counsel for Forest Creek, LLP

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was served by first class mail, postage prepaid, this the 29<sup>th</sup> day of March, 2012, to, Hon. Bruce E. Smith, **BRUCE E. SMITH LAW OFFICES, PLLC**, 201 South Main Street, Nicholasville, Kentucky 40356.

A handwritten signature in cursive script that reads "Robert C. Moore". The signature is written in black ink and is positioned above a horizontal line.

Robert C. Moore