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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of November 28, 2024***2008-00443**

RECEIVED: 10/17/08

FILED: 10/17/08

FINAL: 12/01/10

REOPENED:

SUSPENSION DATE:

**CASE CODE**

Investigation - Service

**UTILITIES:**

Magoffin County Water District

INTERVENORS: AG/Rowe, Sr

**HEARINGS:**

05/15/09 Deposition  
 02/27/09 Formal Hearing  
 02/10/09 Formal Hearing  
 02/09/09 Informal Conference  
 01/08/09 Informal Conference  
 12/16/08 Formal Hearing

**INDEX OF EVENTS:**

04/26/11 POST CASE: Magoffin Co Water District's Response to 030811 Letter Re: Paintsville Interconnection Project

02/21/11 POST CASE: Paintsville Utilities Response to 020911 Letter Re: Magoffin Co Water District

02/17/11 POST CASE: Magoffin Co Water District's Response to Commission's Information Request of 021111

01/10/11 POST CASE: Magoffin Co Water District's Response to 113010 Order

12/01/10 Order Entered: 1. Magoffin District shall exercise its best efforts to secure the consent and release from Salyersville to purchase water from Paintsville and Morgan District and for any other water suppliers from whom it obtains an agreement to purchase a supply of water. 2. Magoffin District shall develop an objective standard for the purchase and use of water from alternate sources. Once the standard is met and the need for additional water is triggered, Magoffin District shall purchase and use the water that is needed. 3. Magoffin District shall ensure that the total water purchased from Salyersville and any other available source is sufficient in quality and quantity to provide its customers adequate service as defined by KRS 278.010(14). 4. The members of Magoffin District's Board of Commissioners shall review its water shortage response plan by January 14,2011. 5. Magoffin District shall provide a chronological list of all actions taken since the hearing began on February 10, 2009 to complete the connection with the city of Paintsville. 6. Magoffin District shall file a drought mitigation plan with the Commission no later than January 14, 2011 which: a. Establish

06/25/10 Magoffin County Water's Response to PSC Staff's Second Data Request

06/11/10 Commission staffs second information request to Magoffin County Water District

04/14/10 Magoffin County Water's Supplemental Response Relating to Contracts Entered for Emergency Water Supply

03/30/10 Letter to parties regarding Salyersville ability to obtain water from Paintsville Utilities Commission

11/13/09 Salyersville Supplemental Response Regarding Interconnection with Paintsville Utilities

10/22/09 EEC's Response to 101209 Request for Information

10/19/09 Magoffin County Water's Response to PSC Data Request

06/01/09 Video Teleconference Deposition of Julie W. Roney

06/01/09 Video Teleconference Deposition of Randall Hardin

04/22/09 Magoffin County Water's Response to PSC Order dated 4/6/09

04/17/09 Notice, PSC staff gives notice that the deposition of Julie Roney and Randall Hardin will be taken on May 15, 2009 beginning at 9 at the PSC offices and the video conferencing facilities of Big Sandy Community and Technical College 1 Bert T Combs Drive Prestonsburg Kentucky

04/13/09 Gregory Allen's Letter Regarding Deposition Dates

04/06/09 Order Entered: Magoffin County WD is to file with the PSC the original and 6 copies of the information listed in the appendix to this Order within 21 days of the date of this Order and serve a copy to all parties:

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04/03/09 Letter filing Paintsville Utilities' Response to PSC Open Records Request and RD's Response to PSC Freedom of Information Request into record

03/23/09 John C. Collins' Letter regarding available dates for the deposition of Ms. Roney by teleconference

03/23/09 Magoffin County's Minutes of Magoffin County Fiscal Court between 1/2/07 and 12/31/08

03/16/09 Letters to Herald, Runyon, Brown, Hardin concerning open records request

03/13/09 Magoffin County Water District Transcript (Volume II) for Hearing Date 02/27/09

03/11/09 Magoffin County Water's Response to Jerry Wuetcher's Request

02/24/09 Magoffin County Water District Transcript of 02/10/09 (Original and Copy)

02/16/09 Order Entered 02/16/09:  
The hearing in this matter shall resume on February 27, 2009 at 10:00 a.m. in the Commission's offices.

02/09/09 Supplement to Previously Filed Testimony of Julie Roney (Original)

02/06/09 Order Entered 02/06/09:  
(1) At the scheduled hearing, each party to this proceeding shall have the option of making an opening and closing statement.  
(2) Opening and closing statements shall be presented in the following order: Salyersville, Magoffin District, DOW, Billy J. Rowe, Sr., and AG.  
(3) Presentation of evidence shall be conducted in the following order: Salyersville, Magoffin District, DOW, Billy J. Rowe, Sr., AG and Commission Staff.  
(4) Direct examination of witnesses who have presented written prepared testimony shall be generally limited to the authentication and adoption of that written testimony.  
(5) The restrictions set forth in Order Paragraph 4 shall not apply to witnesses who testify under subpoena and are not affiliated with the party that has called the witness.  
(6) Cross-examination of witnesses shall be conducted in the following order: Salyersville, Magoffin District, DOW, Billy J. Rowe, Sr., AG and Commission Staff.  
(7) Any preliminary motions shall be made in writing and filed with the Commission no later than 3:00 p.m., Eastern Standard Time, on February 9, 2009.  
(8) All members of Magoffin District's Board of Commissioners shall be present at the scheduled hearing.  
(9) All provisions of the Commission's Order of November 26, 2008 that are not in conflict with this Order shall remain in effect.

02/06/09 Supplement to Previously Filed Testimony of Julie Roney and Exhibits - Fax from Mary Stephens: Hard Copy to Follow

02/05/09 Notice of Telephone Conference Call

01/30/09 Order Entered 01/30/09:  
(1) Paintsville Utilities Commission's Motion to Withdraw is granted.  
(2) Paintsville Utilities Commission shall be removed from the service list in this proceeding.  
(3) Nothing in this Order shall prevent the Commission from compelling the appearance of Paintsville Utilities Commission officials or employees to present testimony in this proceeding pursuant to KRS 278.320.

01/27/09 Written Testimony of Kevin Howard

01/22/09 John C. Collins' Entry of Appearance and Salyersville Water Works' Testimony

01/22/09 Dr. Charles E. Hardin's Testimony of Behalf of Magoffin County Water

01/22/09 Gregory D. Allen's Entry of Appearance

01/20/09 John C. Collins' Entry of Appearance on behalf of Magoffin County Water

01/15/09 Memorandum dated 1/15 for Informal Conference of 1/8; Comments, if any, due within 5 days of receipt

01/07/09 Agenda for January 8, 2009 teleconference

12/31/08 Notice of Telephone Conference Call

12/24/08 Order Entered: DOW's motion for extension of time is granted: DOW's written testimony filed with the PSC on December 15, 08 is accepted for filing

12/24/08 Paintsville Utilities Commission's Motion to Withdraw

12/22/08 Division of Water's Entry of Appearance

12/15/08 Division of Water's Sworn Testimony pursuant to Order dated 11/24/08

12/12/08 Order Entered: Hearing in this matter that was scheduled to be held on Dec 16, 08 is continued and shall now commence on Feb 10, 09 at 10 am The location of the hearing remains unchanged

12/10/08 Magoffin County Water's Response to PSC Staff Data Request

12/10/08 City of Salyersville Response to Commission's First Set of Interrogatories

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12/09/08 Division of Water's Motion For Extension of Time  
 11/26/08 Order entered granting intervention to PUC: PUC is entitled to the full rights of a party and shall be served with the PSC Orders and with filed testimony exhibits pleadings correspondence and all other documents submitted by parties after the date of this Order: Should PUC file documents of any kind with the PSC in the course of these proceedings it shall also serve a copy to all other parties of record.  
 11/26/08 PSC staff first set of interrogatories and requests for production of documents to the City of Salyersville Kentucky  
 11/26/08 PSC staff first set of interrogatories and requests for production of documents to Magoffin County Water District  
 11/24/08 Order Entered:  
 A hearing shall be held on the adequacy of Magoffin District's water supply on December 16, 2008, beginning at 10:00 a.m. EST.  
 On or before December 10, 2008, Magoffin District, Salyersville, and DOW and any other party desiring to present testimony, shall each file an original and 6 copies of prepared written testimony of each witness it intends to call.  
 11/13/08 Paintsville Utilities Commission's Motion for Intervention  
 11/12/08 Order entered granting intervention to Mr Rowe  
 10/31/08 Order entered granting intervention to AG  
 10/29/08 Division of Water's response to staff's request for information  
 10/28/08 Attorney General's Motion To Intervene  
 10/27/08 Salyersville Water Works' response to Commission Staff's data request  
 10/27/08 Magoffin County Water District's response to Commission Staff's data request  
 10/21/08 Billy J. Rowe's Motion to Intervene (Fax)  
 10/17/08 Order Entered: DOW, Magoffin District, and Salyersville are made parties to this proceeding: A copy of this Order shall be served upon the DEM Public Health and the AG: No later than Oct 29, 08 file written responses to the questions set forth in appendices A, B, and C: Each response shall be answered under oath or for representative of a public or private corporation or a partnership or association or a governmental agency : Any party shall make timely amendment to any prior responses if it obtains information which indicates that the response was incorrect when made or though incorrect in any material respect: For any request to which a party fails or refused to furnish all or part of the requested information that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond

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 Total Number of Cases: 1