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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of November 28, 2024***2011-00297**

RECEIVED: 08/05/11

FILED: 08/05/11

FINAL: 07/02/15

REOPENED:

SUSPENSION DATE:

CASE NATURE: Forest Creek, LLC, Complainant; Jessamine-South Elkhorn Water District, Defendant

**CASE CODE**

Complaints - Service

**HEARINGS:**

10/30/14 Informal Conference  
 05/22/14 Informal Conference  
 05/09/14 Teleconference  
 04/22/14 Informal Conference  
 11/18/13 Teleconference  
 11/14/13 Teleconference  
 09/30/13 Teleconference  
 08/30/13 Teleconference  
 07/12/13 Teleconference  
 06/10/13 Teleconference  
 06/07/13 Teleconference  
 05/10/13 Teleconference  
 05/08/13 Teleconference  
 01/15/13 Teleconference  
 01/08/13 Teleconference  
 09/05/12 Formal Hearing  
 08/29/12 Informal Conference  
 05/01/12 Formal Hearing  
 02/28/12 Formal Hearing

**INDEX OF EVENTS:**

07/02/15 Final Order Entered: 1 . The terms of the Agreement are reasonable and consistent with the evidence of record and are accepted. 2. The parties' joint motion to dismiss the complaint with prejudice is granted. 3. The Complaint is dismissed with prejudice, and this case is closed and removed from the Commission's docket. -

06/03/15 Jessamine-South Elkhorn Water District Response to Order

06/01/15 Forest Creek LLC's Response to Order

05/27/15 Order Entered: Within seven days of entry of this Order, the parties shall jointly file six copies of the exhibits to the Settlement Agreement and Release.  
 2. Within seven days of entry of this Order, Counsel for Forest Creek shall respond to the questions in Appendix A to this Order.  
 3. Within seven days of entry of this Order, Counsel for JSEWD should respond to the questions in Appendix B to this Order.

05/15/15 Jessamine South Elkhorn Water District and Forest Creek, LLC Joint Motion to Dismiss

10/31/14 Memorandum dated 10/31/2014 for Informal Conference of 10/30/2014; Comments, if any, due within five days of receipt

09/25/14 Commission Staff's Notice of Informal Conference

06/25/14 Jessamine-South Elkhorn Water District Notice Regarding June 16, 2014 Order

06/16/14 Order Entered: procedural schedule set forth in the Appendix attached hereto and incorporated herein shall be followed in this case.

05/28/14 Memorandum dated 5/23/2014 for Informal Conference of 05/22/2014; Comments, if any, due within five days of receipt

05/20/14 COMMISSION STAFF'S NOTICE OF INFORMAL CONFERENCE

05/12/14 Memorandum dated 5/12 for Informal Conference of 5/9; Comments, if any, due within 5 days of receipt

04/29/14 Letter Filing Document into the Record

04/25/14 COMMISSION STAFF'S NOTICE OF INFORMAL CONFERENCE

04/23/14 Memorandum dated 4/23/14 for Informal Conference of 4/22/14; Comments, if any, due 4/30/14

03/27/14 Commission Staff's Notice of Telephone Conference Call

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11/19/13 Memorandum dated 11/19 for Informal Conference of 11/18; Comments, if any, due within five days of receipt

10/07/13 Commission Staff's Notice of Telephone Conference Call

10/02/13 Memorandum dated 10/02/2013 for Informal Conference of 9/30/2013; Comments, if any, due within five days of receipt

09/27/13 Commission Staff's Notice of Telephone Conference Call

08/28/13 Commission Staff's Notice of Telephone Conference Call

06/18/13 COMMISSION STAFF'S NOTICE OF TELEPHONE CONFERENCE CALL

06/17/13 Memorandum dated 6/13/2013 for Informal Conference of 06/07/2013; Comments, if any, due within five days of receipt

05/23/13 Letter Filing Document into the Record

05/22/13 COMMISSION STAFF'S NOTICE OF TELEPHONE CONFERENCE CALL

05/20/13 Memorandum dated 5/20/2013 for Informal Conference of 5/10/2013; Comments, if any, due within five days of receipt

03/25/13 Letter Filing Documents into the Record

03/15/13 -COM MISSION STAFF'S NOTICE OF TELEPHONE CONFERENCE CALL

03/11/13 Memorandum dated 3/08/2013 for Informal Conference of 1/15/2013; Comments, if any, due within five days of receipt

01/10/13 Commission Staff's Notice of Telephone Conference Call

01/09/13 Memorandum dated 1/9/13 for Telephone Conference Call of 1/8/13; Comments, if any, due 1/16/13.

12/04/12 Order Entered:  
 1. This matter shall be held in abeyance until January 8, 2013.  
 2. A telephone conference call shall be held in this matter, beginning at 10:30 a.m., Eastern Standard Time, on January 8, 2013, to discuss the current status of this proceeding and the progress of settlement negotiations. Commission Staff shall advise the parties of the arrangements for the conference call.

12/03/12 Memorandum dated 12/03/2012 for Informal Conference of 11/30/2012; Comments, if any, due within five days of receipt of letter

11/02/12 Order Entered: These proceedings shall be held in abeyance for 30 days from the date of this Order.

10/29/12 Joint Motion for Continuance and To Hold in Abeyance

09/20/12 Order Entered: that these proceedings shall be held in abeyance for 30 days from the date of this Order

08/24/12 Joint Motion for continuance

06/25/12 Order Entered: that the procedural schedule is suspended and that these proceedings shall be held in abeyance pending further order of the Commission.

06/08/12 JSEWD Motion for Modification or Extension of Time

06/01/12 Forest Creek Pre Filed Testimony of Jihad Hallany

05/31/12 Forest Creek's Pre-Filed Testimony of James Kelley

05/31/12 Pre Filed Testimony of Jihad Hallany by Forest Creek FAX

05/31/12 Forest Creek's Motion For Extension of Time to File Verified Testimony of Jihad Hallany

05/30/12 Forest Creek Motion For Extension of Time to File Hallany Testimony FAX

05/30/12 Forest Creek Pre Filed Testimony of James Kelley FAX

05/30/12 JSEWD's Motion to Compel and Reply to Memo with Supplement to Responses to 1st Info Requests

05/25/12 Forest Creek Motion For Extension of Time to File Verified Testimony

05/18/12 Jessamine-South Elkhorn WD's Responses to Forest Creek's Supplemental Info Requests

05/17/12 Forest Creek Memorandum in Opposition to South Elkhorn WD's Motion to Dismiss Complaint

05/16/12 Forest Creek Memorandum in Opposition to South Elkhorn District's Motion to Dismiss Complaint (FAX)

05/14/12 Forest Creek Answers to Supplemental Requests for Information

05/07/12 Request for information to defendant from complainant

05/07/12 Clients supplemental request for information to Forest Creek by Water District

05/04/12 Forest Creek Supplemental Information Requests to Jessamine-South Elkhorn Water District (FAX)

05/04/12 Kentucky Power Company's Supplemental Responses to Identified Data Requests

05/03/12 Jessamine-South Elkhorn WD's Response to Forest Creek's Motion to Compel

05/02/12 Jessamine-South Elkhorn WD's Reply to Memorandum in Opposition Filed By Forest Creek

05/01/12 Forest Creek's Response to Jessamine-South Elkhorn WD's Motion to Extend

04/27/12 Forest Creek's Motion to Compel

04/26/12 Forest Creek's Memorandum in Opposition to Motion For Rehearing (FAX)

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04/26/12 Forest Creek Memo of Opposition to South Elkhorn WD's Motion For Rehearing  
04/26/12 Jessamine-South Elkhorn WD's Response to Motion of Forest Creek  
04/25/12 Motion to Dismiss Complaint and Suspend Proceedings  
04/20/12 Forest Creek Motion & Notice of Filing of Attachment B  
04/20/12 Answers of Forest Creek to Jessamine South Elkhorn Requests for Info  
04/13/12 Forest Creek Motion for Extension  
04/13/12 Jessamine-South Elkhorn WD's Response to 1st Info Request Served By Forest Creek  
04/06/12 Jessamine-South Elkhorn WD Motions for Rehearing/Reconsideration  
03/30/12 Request for Information to Complainant from Defendant  
03/29/12 Forest Creek, LLC's Information Requests Served Upon Jessamine-South Elkhorn Water District  
03/16/12 Order Entered: (1) Jessamine District's Motion to Dismiss is denied. (2) Jessamine District's Motion to Hold in Abeyance is denied. (3) Procedural schedule set forth in Appendix shall be followed. (4) Any party that files written testimony shall file original and 8 copies. (5) Parties shall consider any request for information from Staff as if ordered by Commission. (6) Service of any document or pleading shall be made in accordance with 807 KAR 5:001, Section 3(7). (7) Any party filing a document or pleading with Commission shall serve upon all other parties. (8) Any document or pleading that a party serves upon other parties shall be filed with Commission. (9) At any hearing, neither opening statements nor summarization of direct or rebuttal testimony shall be permitted. (10) Direct examination of witnesses shall be limited to authentication and adoption of written testimony. (11) Witness who have filed written direct and rebuttal testimony shall present that testimony at the same sitting. Opposing parties may cross-examine such witnesses on both direct and rebuttal testimonies. (12) Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon showing of good cause. (13) Record of the formal hearing shall be by videotape. (14) Briefs shall not exceed 40 pages in length. (15) Commission Staff shall make written exhibit list and file with all exhibits and a copy of video transcript of hearing.

10/20/11 Forest Creek's Response to Motion to Dismiss  
10/07/11 JSEWD's Reply to Response of Forest Creek and Motion to Dismiss  
10/04/11 Reply to Response of Forest Creek and Motion to Dismiss (FAX)  
09/29/11 Forest Creek's Response to Motion to Hold in Abeyance  
09/28/11 Forest Creek's Response to Motion to Hold in Abeyance (FAX)  
09/21/11 Jessamine-South Elkhorn Water District's Answer to Forest Creek Complaint  
09/21/11 Jessamine-South Elkhorn Water District's Motion to Hold in Abeyance  
09/19/11 Jessamine-South Elkhorn Water District's Motion to Hold In Abeyance  
09/19/11 Jessamine-South Elkhorn Water District's Answer to Forest Creek Complaint  
09/08/11 Order Entered:  
(1) Defendant's Motion for Extension of Time is granted in part and denied in part.  
(2) Defendant shall have until September 19, 2011 to file with the Commission its response to the Commission's Order to Satisfy or Answer.

09/01/11 Forest Creek's Response to Motion for Extension of Time  
09/01/11 Forest Creek's Response to Motion For Extension of Time (FAX)  
08/25/11 Jessamine-South Elkhorn Water District's Motion for Extension of Time  
08/24/11 Jessamine-South Elkhorn Water District's Motion for Extension (FAX)  
08/17/11 Order Entered: Jessamine-South is hereby ordered to satisfy the matters complained of or file a written answer to the complaint within ten days of the date of service of this Order.

08/09/11 Acknowledge Receipt of Filing  
08/05/11 Forest Creek, LLC, Complainant vs. Jessamine-South Elkhorn Water District, Defendant

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Total Number of Cases: 1