

In support of its motion to intervene as Respondent, KTC has attached the Declaration of Maxwell C. Bailey, Secretary of Transportation of the Commonwealth of Kentucky and Chief Executive Officer of the KTC. ("Bailey Decl."). KTC states that because of the manner in which KTC involves itself in the household goods transportation process, there is an assurance that the public is paying a fair rate for a regulated service. Bailey Decl. ¶ 6. KTC asserts that if Complaint Counsel prevails in this proceeding, the public will suffer due to the multiplicity of both tariffs and rates, with no corresponding benefit to the public and a reduced ability to enforce the applicable laws and regulations. Bailey Decl. ¶ 7.

KTC, through its motion, seeks an Order granting it leave to intervene in this proceeding

for the following purposes: (1) to permit KTC to offer evidence and testimony at the hearing in this proceeding; (2) to permit KTC to join in the Motion for Summary Decision submitted by Respondent; (3) to permit KTC to make, oppose, or join in other applications or motions; and (4) to grant any other relief as may be appropriate.

III.

Pursuant to Rule 3.14(a) of the Commission's Rules of Practice, the Administrative Law Judge "may by order permit the intervention to such extent and upon such terms as are provided by law or as otherwise may be deemed proper." 16 C.F.R. § 3.14(a). By law, to allow intervention, good cause must be shown. 5 U.S.C. § 45(b). Before the Commission will allow

Conference Date, established the following deadlines in this proceeding, that are relevant to the instant motion:

December 1, 2003	Close of discovery
December 19, 2003	Deadline for filing motions for summary decision
December 19, 2003	Complaint Counsel provides its final proposed witness and exhibit lists
December 30, 2003	Respondent provides its final proposed witness and exhibit lists
January 6, 2004	Deadline for filing response to motion for summary decision
January 23, 2004	Deadline for filing reply in support of motion for summary decision
February 13, 2004	Deadline for filing response to reply on motion for summary decision
March 16, 2004	Final prehearing conference and commencement of hearing

KTC's motion to intervene, filed on February 23, 2004 and not ripe for adjudication until March 4, 2004, is too late for purposes of allowing KTC to join in on the motion to dismiss, the Order on which was issued on February 26, 2004. In this respect, KTC's motion to intervene is

previously been deposed in this litigation, the parties shall have until March 15, 2004 to conduct his deposition. At the trial, KTC may present an opening statement and a closing argument. In these respects, KTC's motion is GRANTED.

In addition, KTC's motion to intervene to permit it to make, oppose, or join in other

ORDERED:

Jm Chappell