

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WOODLAND ACRES )  
UTILITIES, LLC FOR APPROVAL OF THE ) CASE NO. 2010-00191  
TRANSFER OF WASTEWATER TREATMENT )  
PLANT TO WOODLAND ACRES UTILITIES, LLC )

ORDER

On September 1, 2010, the Commission approved Woodland Acres Utilities, LLC's ("Woodland Utilities") acquisition of the sewage collection and treatment facilities that serve the Woodland Acres Subdivision of Bullitt County, Kentucky. We conditioned our approval upon Woodland Utilities obtaining an irrevocable letter of credit in the amount of \$10,000 with a minimum term of 10 years.

Woodland Utilities now moves to amend the Order of September 1, 2010 to allow the acquisition to occur upon the submission of an irrevocable letter of credit in the amount of \$5,000. In support of its motion, Woodland Utilities states that it and its principal member, Joseph Murphy, lack the financial wherewithal to obtain an irrevocable letter of credit in the amount of \$10,000. It further states that no other entities have expressed an interest in operating or managing the facilities and that it has operated the facilities since October 2008 without incident.

Given the limited alternatives available and Woodland Utilities' history of operating the facilities, the Commission finds that the motion should be granted and our Order of September 1, 2010 amended to reduce the amount of the irrevocable letter of credit.

IT IS THEREFORE ORDERED that:

1. Woodland Utilities' Motion to Approve Letter of Credit is granted.
2. Ordering paragraph 2 of our Order of September 1, 2010 is amended to

read:

The proposed transfer of the utility assets of Woodland Acres Sanitation, Inc., being the Woodland Acres Wastewater Treatment Plant and collection system, to Woodland Acres Utilities is approved subject to the conditions set forth below:

a. Woodland Acres Utilities shall obtain an irrevocable letter of credit in the amount of \$5,000 with a minimum term of 10 years.

b. Woodland Acres Utilities shall file with the Commission a copy of such letter of credit no later than August 1, 2011.

3. Ordering paragraph 3 of our Order of September 1, 2010 is amended to

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No later than August 10, 2011, Woodland Acres Utilities shall file a signed and dated adoption notice with the Commission in accordance with 807 KAR 5:011, Section 11.

4. Ordering paragraph 5 of our Order of September 1, 2010 is amended to

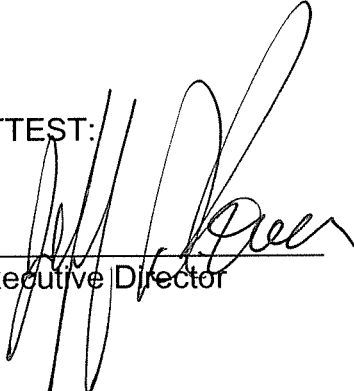
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No later than August 10, 2011, Woodland Acres Utilities shall file with the Commission the journal entry that it proposes to record the asset acquisition. The acquisition shall be recorded in accordance with the Uniform System of Accounts.

By the Commission

ENTERED *(w)*  
JUL 29 2011  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
\_\_\_\_\_  
Executive Director

Case No. 2010-00191

Honorable Robert C Moore  
Attorney At Law  
Hazelrigg & Cox, LLP  
415 West Main Street  
P.O. Box 676  
Frankfort, KENTUCKY 40602