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FROM: HW

TO: PSC ATTN: Virginia GREGG, Esq.

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RE: ~~North~~ Falmouth + East Pendleton

2010-00313;

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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOINT APPLICATION OF CITY OF	)	
FALMOUTH, KENTUCKY AND EAST	)	CASE NO.
PENDLETON WATER DISTRICT FOR	)	2010-00313
AN ORDER APPROVING TRANSFER OF	)	
SEWER UTILITY	)	

**JOINT WITHDRAWAL OF APPLICATION**

Come now the City of Falmouth, by counsel, ("City") and the East Pendleton Water District, by counsel, ("East Pendleton") and request that their Joint Verified Application of Leave to Transfer filed with the Public Service Commission on August 4, 2010 be withdrawn from consideration. The City and East Pendleton believe that the circumstances underlying their Agreement have changed. The Capital Improvements Project originally envisioned to incorporate the Oak Haven Package Treatment Plant has recently undergone extensive review and revision, and the City believes that it cannot amend the application, provide all the necessary supporting documentation, and allow the PSC ample time to thoroughly consider the request prior to the statutorily set December 2, 2010 deadline.

The City believes that it ultimately is in the best interest of the community to eventually incorporate the Oak Haven Package Plant into the regional

wastewater treatment system operated by the City, but it must be completed in a manner that is also financially sound. To that end, the City believes that withdrawing the application now will allow it to make the necessary revisions and to resubmit the application in the future.

*Judy M. Wright by  
Henry Watson III as  
attorney*

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Respectfully submitted,

*Henry Watson III*

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**CERTIFICATION**

I certify that a true and correct copy of the foregoing Withdraw of Application was served upon the East Pendleton Water District by serving its counsel of record, Judy M. Wright, Esq., Wright & Wright Law Offices, 217 West Shelby Street, P.O. Box 303, Falmouth, Kentucky 41040, on this the 18<sup>th</sup> day of November, 2010.

*Henry Watson III*  
Henry Watson III