

COPY & PRINT DEPOT

FAX TRANSMISSION

JERRY WUETCHER, PSC

TO: (502) 564-3460

FROM: JACK KANINBERG

FAX NUMBER:

SENDER'S PHONE #: (502) 671-0214

DATE: 9/20/12

OF PAGES: 2 + cover

CUSTOMER'S NOTES:	RECEIVED
	SEP 20 2012
	PUBLIC SERVICE COMMISSION

OFFICE DEPOT'S TERMS OF USE

SENDER AGREES NOT TO USE THIS FAX TO: (I) TRANSMIT MATERIAL WHOSE TRANSMISSION IS UNLAWFUL, HARASSING, LIBELOUS, ABUSIVE, THREATENING, HARMFUL, VULGAR, OBSCENE, PORNOGRAPHIC OR OTHERWISE OBJECTIONABLE; (II) CREATE A FALSE IDENTITY, OR OTHERWISE ATTEMPT TO MISLEAD OTHERS AS TO THE IDENTITY OF THE SENDER OR THE ORIGIN OF THIS FAX; (III) POST OR TRANSMIT ANY MATERIAL THAT MAY INFRINGE THE COPYRIGHT, TRADE SECRET, OR OTHER RIGHTS OF ANY THIRD PARTY; (IV) VIOLATE ANY FEDERAL, STATE OR LOCAL LAW IN THE LOCATION, OR (V) CONDUCT ACTIVITIES RELATED TO GAMBLING, SWEEPSTAKES, RAFFLES, LOTTERIES, CONTESTS, PONZI SCHEMES OR THE LIKE.

PLEASE NOTE THAT OFFICE DEPOT DOES NOT REVIEW THE CONTENTS OF ANY FAX SENT USING ITS SERVICES. FURTHER, BY SIGNING BELOW THE SENDER OF THIS FAX HEREBY AGREES TO INDEMNIFY OFFICE DEPOT TO THE FULLEST EXTENT OF THE LAW AND FOR ANY AND ALL CLAIMS, SUITS, OR DAMAGES ARISING OUT OF OR IN CONNECTION WITH THE REQUEST TO SEND, OR SENDING THIS FAX.

CUSTOMER SIGNATURE (REQUIRED):

THANK YOU FOR USING OFFICE DEPOT'S CUSTOMER FAX SERVICES

STORE INFORMATION

OFFICE DEPOT STORE #27 1001 BRECKENRIDGE LANE LOUISVILLE, KY 40207 PHONE: 502/895-7050 FAX: 502/895-5216

First Page Local Fax
833-071

First Page Long Distance Fax
833-081

First Page International Fax
833-191

Additional Local Fax
458-687

Additional Long Distance Fax
833-091

Additional International Fax
833-201

Middletown Waste Disposal, Inc.
13005 Middletown Industrial Blvd., Suite I
Louisville, KY 40223

September 19, 2012

Mr. Jeff Derouen, Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

Re: Middletown Waste Disposal Rate Case No. 2012-00375

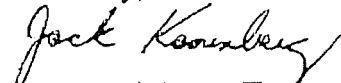
Dear Mr. Derouen,

I have been notified by Mr. Gerald Wuetcher of your staff that clarification and/or additional explanation are needed relative to a filing requirement in the above-referenced rate case. I sincerely appreciate Mr. Wuetcher's assistance in this regard, and I hope this letter is sufficient to address the filing requirement.

The applicable filing requirement calls for Middletown Waste Disposal to attach "a copy of each outstanding evidence of indebtedness." In Middletown's most recent rate case decision in 2010, the Commission allowed for ratemaking purposes only the interest expense on a loan associated with the land upon which the sewage treatment plant sits, and disallowed all other interest expense. Middletown's rate request in this current case conforms with that ruling by not requesting the interest expense previously disallowed (please refer to the pro forma income statement and explanatory Note O), so I did not want to confuse this filing by adding debt documents whose interest expense had been disallowed in the prior case. I did, however, attach as Exhibit 8 the amortization schedule for the remainder of the debt which had been allowed in the prior case.

Mr. Wuetcher has suggested I should provide either a letter explaining the grounds for a deviation of the filing requirement, or reference to the previous case in which the documents were filed. As to the latter, that case number was 2009-00227, and no existing debt other than that found reasonable for ratemaking purposes in Case No. 2009-00227 has been included within the filing. As to the former, please treat this letter as a request for deviation of the requirement to file all debt documents, on the grounds that only the debt documents relevant to this proceeding are necessary, and have already been provided.

Sincerely,



Jack Kaninberg, Treasurer
Middletown Waste Disposal, Inc

Middletown Waste Disposal, Inc.
13005 Middletown Industrial Blvd., Suite I
Louisville, KY 40223
(502) 618-2260

September 20, 2012

Mr. Jeff Derouen, Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602


Re: Middletown Waste Disposal Rate Case No. 2012-00375

Dear Mr. Derouen,

I have been notified by Mr. Gerald Wuetcher of your staff that additional clarifications and/or additional explanations beyond those in my letter dated September 19, 2012 are needed relative to a filing requirement in the above-referenced rate case. Specifically, Middletown's partners loaned the utility \$20,000 in April and May of 2012 to finance the replacement of an aging and leaky air header, but no written loan documents were prepared relative to this loan, and no evidence of indebtedness exists other than the checks written by the partners to Middletown.

I hope this clarification provides the necessary information to meet the filing requirement.

Sincerely,


Jack Kaninberg, Treasurer
Middletown Waste Disposal, Inc