



Steven L. Beshear
Governor

Robert D. Vance, Secretary
Environmental and Public
Protection Cabinet

Timothy J. LeDonne
Commissioner
Department of Public Protection

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

Mark David Goss
Chairman

John W. Clay
Commissioner

Caroline Pitt Clark
Commissioner

December 20, 2007

John L. Smith
Breathitt County Water District
1137 Main Street
Suite 305
Jackson, KY. 41339

RE: Case No. 2007-00497
Filing Deficiencies

On December 3, 2007 an application was filed with the Public Service Commission by Breathitt County Water District for a Certificate of Public Convenience and Necessity to construct and finance pursuant to KRS 278.023(2). Initially The Commission processed the filing as such, but after further investigation it was determined that the filing in this case does not qualify for a filing under .023 and in fact is similar to the recent case involving Breathitt County in case 2006-00437. As such the case will proceed under KRS 278.020 and .300. As a result of this, enclosed with this letter are two new deficiency letters. One is for the construction portion of the case and the other is for the financing portion of the case.

Please comply with the information listed on those letters.

Sincerely,

Michael F. Burford
Director
Division of Filings



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807 KAR 5:001: Section 9(2)(f)An estimated cost of operation after the proposed facilities are completed.

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807 KAR 5:001: Section 6(4) Mortgages: Amount of Indebtedness Secured

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807 KAR 5:001: Section 6(4) Mortgages: Name of Mortgagee or Trustee

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- 807 KAR 5:001: Section 6(4) Mortgages: Name of Mortgagor
- 807 KAR 5:001: Section 6(4) Mortgages: Sinking Fund Provisions
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