

The Law Office of
BRENDON D. MILLER

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RECEIVED

February 22, 2013

FEB 27 2013

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

PUBLIC SERVICE
COMMISSION

RE: Breathitt County Water District
Case No. 2013-_____

Dear Mr. Derouen:

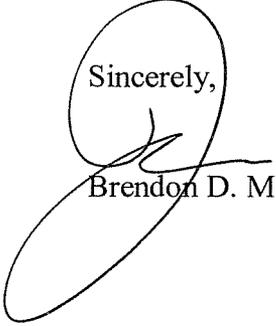
Enclosed please find the original and ten (10) copies of the Application of the Breathitt County Water District for a Certificate of Public Convenience and Necessity to construct and finance pursuant to KRS 278.020.

Also enclosed are eleven (11) copies of the exhibits required pursuant to 807 KAR 5.069.

As indicated in the Application, the District would like to award the contract(s) in this matter about April 15, 2013.

If you need any additional information or documentation, please let me know.

Sincerely,


Brendon D. Miller

Enclosures
CC: Distribution List

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION
CASE NO. 2013-_____

FEB 27 2013

PUBLIC SERVICE
COMMISSION

In the Matter of:

THE APPLICATION of the BREATHITT COUNTY WATER DISTRICT of BREATHITT COUNTY, KENTUCKY, for a CERTIFICATE of PUBLIC CONVENIENCE and NECESSITY to CONSTRUCT and FINANCE, PURSUANT TO KRS 278.020.

APPLICATION

This Application of the Breathitt County Water District ("Applicant") of Breathitt County, Kentucky, respectfully shows:

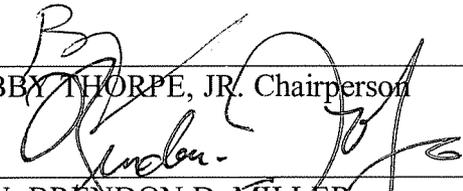
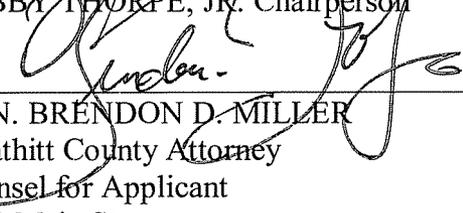
1. That the Applicant is a water district of Breathitt County, Kentucky, created and existing under and by virtue of Chapter 74 of the Kentucky Revised Statutes.
2. That the post office address of the Applicant is:
Breathitt County Water District
1137 Main Street
Jackson, Kentucky 41339
3. That Applicant pursuant to the provisions of KRS 278.020, seeks (i) a Certificate of Public Convenience and Necessity, permitting Applicant to construct a waterworks construction project, consisting of extensions, additions, and improvements (the "Project") to the existing waterworks system of Applicant; and (ii) approval of the proposed plan of financing said project.
4. That the KY 1110/28 Waterline Interconnection Project consists of the construction and installation of approximately 30,000 linear feet of 8-inch pvc waterline; 140 linear feet of 8-inch D.I. waterline; a Master meter and vault and PRV vault.
5. That Applicant proposes to finance the construction of the KY 1110/28 Waterline Interconnection Project through Multi-County Coal Severance funds in the amount of \$930,000.00.
6. That Applicant does not contemplate having the project constructed with any deviation from minimum construction standards of this Public Service Commission.

7. That Applicant files herewith the following Exhibits pursuant to 807 KAR 5:069 in support of this Application.
 - A. Copy of the Multi-County Coal Severance MOA as Attachment 5 of the Final Engineering Report (FER);
 - B. Copy of the Certified Bid Tabulation and Engineer's Concurrence of Bid Award as Attachment 3 of the FER;
 - C. Copy of the Preliminary Engineering Report, amended to the FER based upon bids received on January 31, 2013;
 - D. Certified statement from the Chairperson of the Applicant, based upon statements of the Engineers for Applicant, concerning the following:
 1. The proposed plans and specifications for the Project have been designated to meet the minimum construction and operating requirements set out in 807 KAR 5:066, Section 4 (3) and (4); Section 5 (1); Sections 6 and 7; Section 8 (1) through (3); Section 9(1) and Section 10.
 2. All other state approvals have already been obtained, including the approval of the Kentucky Division of Water, included as Attachment 6.
 3. The Existing rates of Applicant shall produce the total revenue requirements set out in the engineering reports, therefore no rate increase is necessary, and
 4. Setting out the date of May 1, 2012, when it is anticipated that construction will begin and August, 2013, when construction is anticipated to end.
8. The foregoing constitutes the documents necessary to obtain the approval of the Kentucky Public Service Commission in accordance with Section 278.020 of the KRS and in accordance with the "Filing Requirements" specified in 807 KAR 5:609, Section 1.
9. Applicant states that it would like to award the contract(s) on the project about April 15, 2013.

WHEREFORE, Applicant the Breathitt County Water District asks that the Public Service Commission of the Commonwealth of Kentucky grant to Applicant the following:

- a. A Certificate of Public Convenience and Necessity permitting Applicant to construct a waterworks project consisting of extensions, additions, and improvements of the existing waterworks system of Applicant.
- b. An order approving the financing arrangements made by Applicant, viz. through Multi-County Coal Severance Funds.

BREATHITT COUNTY WATER DISTRICT

By: 
BOBBY THORPE, JR. Chairperson

HON. BRENDON D. MILLER
Breathitt County Attorney
Counsel for Applicant
1149 Main Street
Jackson, Kentucky 41339
(606) 666-4400

VERIFICATION

The undersigned, BOBBY THORPE, JR., being duly sworn, deposes and states that he is the Chairperson of the Board of Commissioners of the Breathitt County Water District, Applicant, in the above proceedings; that he has read the foregoing Application and has noted the contents thereof; that the same is true of his own knowledge, except as to matters which are therein stated on information or belief, and as to those matters, he believes same to be true.

IN TESTIMONY WHEREOF, witness the signature of the undersigned on this the 22nd day of February, 2013.

BREATHITT COUNTY WATER DISTRICT

By: 
BOBBY THORPE, JR., Chairperson

COMMONWEALTH OF KENTUCKY

COUNTY OF BREATHITT

The foregoing was subscribed and sworn to before me by Bobby Thorpe, Jr., Chairperson of the Board of Commissioners of the Breathitt County Water District, on this the 22nd day of February, 2013.


NOTARY PUBLIC
Commission Expires: 12 - 28 - 2014

DISTRIBUTION LIST

Case No. 2013-_____

Re: Breathitt County Water District Application

District Officials

Mr. Bobby Thorpe, Jr., Chairperson

Mr. Estill McIntosh, Manager

Breathitt County Water District

1137 Main Street

Jackson, Kentucky 41339

Telephone: (606) 666-3800

Fax: (606) 666-2860

Engineer

Mr. Paul Nesbitt

Nesbitt Engineering, Inc.

227 North Upper Street

Lexington, Kentucky 40507

Telephone: (859) 233-3111

Fax: (859) 259-2717

Local Counsel

Hon. Brendon D. Miller

Breathitt County Attorney

1149 Main Street

Jackson, KY 41339

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KIA Loan Administrator

Ms. Jennifer McIntosh

KRADD

917 Perry Park Road

Hazard, Kentucky 41701

Telephone: (606) 436-3158

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