

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF AIRVIEW UTILITIES, LLC FOR)
RATE ADJUSTMENT FOR SMALL UTILITIES) CASE NO.
PURSUANT TO 807 KAR 5:076) 2014-00215

ORDER

On June 30, 2014, Airview Utilities, LLC (“Airview”) tendered for filing its application for a rate adjustment pursuant to 807 KAR 5:076. Airview requests a deviation from 807 KAR 5:076, Section 4(1)(d), which requires the utility to file a depreciation schedule of all utility plant in service with the rate adjustment application.

In support of its request for a deviation, Airview states that it is not requesting any depreciation expense on historical plant in this case. Airview's current owners were not given a fixed asset schedule to support a depreciation expense when they acquired Airview. As a further basis, Airview states that, pursuant to Annual Reports on file with the Commission, the historical plant has been 100 percent contributed.

As an initial matter, the Commission finds that Airview's application is deficient and cannot be accepted for filing. Pursuant to 807 KAR 5:076 Section 4(1)(h), the applicant must provide a completed Statement of Disclosure of Related Party Transactions, ARF Form-3, for each person who has an ownership interest of 10 percent or more in the utility, members of the utility's board of directors, and the utility's chief executive officer. Airview is a Kentucky Limited Liability Company consisting of

two members, Lawrence Smither and Martin G. Cogan.¹ Airview filed an ARF Form-3 for Mr. Smither, but failed to file an ARF Form-3 for Mr. Cogan. The Commission further finds that Airview should be granted ten days from the date of this Order to file an ARF Form-3 for Martin G. Cogan. The application will not be deemed filed and the statutory time period in which the Commission must process this case will not commence until the ARF Form-3 for Mr. Cogan is filed with the Commission.

Having considered the request for deviation, the Commission finds that Airview has shown good cause and that the request for deviation from 807 KAR 5:076, Section 4(1)(d), should be granted.

IT IS THEREFORE ORDERED that:

1. The petition of Airview is rejected for filing.
2. Within ten days of the date of this Order, Airview shall file a completed Statement of Disclosure of Related Party Transactions, ARF Form-3, for Martin G. Cogan.
3. Airview's request for a deviation from 807 KAR 5:076, Section 4(1)(d), is granted.

By the Commission

ENTERED
JUL 24 2014
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

¹ Airview Utilities, LLC, Annual Report (Ky. Sec. of State Jan. 27, 2014) <https://app.sos.ky.gov/corpscans/25/0603025-06-99998-20140127-ARP-5696604-PU.pdf>.