

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ALLEGED FAILURE OF LEWIS SANITATION	)	CASE NO.
COMPANY, INC. D/B/A GARDEN HEIGHTS	)	2017-00045
SEWER DIVISION TO FILE REQUIRED	)	
REPORTS	)	

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO LEWIS  
SANITATION COMPANY D/B/A GARDEN HEIGHTS SEWER DIVISION

On February 6, 2017, the Commission ordered Lewis Sanitation Company, Inc. d/b/a Garden Heights Sewer Division ("Garden Heights") to appear on March 28, 2017, to show cause why it should not be penalized for failing to comply with 278.230(3). A hearing in this matter was held as scheduled on March 28, 2017, at which no representative from Garden Heights appeared. On May 2, 2017, the Commission issued an Order levying a fine of \$2,500 for violating KRS 278.230 and 807 KAR 5:006, Section 4(2), by failing to timely file its annual statistical and financial report for the 2015 calendar year.

On May 10, 2017, John Lewis, the owner of Garden Heights, contacted Commission Staff by telephone to inform the Commission that he and/or Garden Heights could not afford to pay the \$2,500 fine. Mr. Lewis also informed Commission Staff that, as of May 8, 2017, Garden Heights no longer had any customers, as those customers had been transferred to Regional Water Resource Agency ("RWRA"). On information and belief, RWRA is a metropolitan sanitation district, formed pursuant to KRS 76.231, which is located in Daviess County, Kentucky. Mr. Lewis further stated that Garden

Heights did not transfer its package treatment plants to RWRA and that Mr. Lewis was “locking up” the plants and that Garden Heights had ceased to exist.

Based upon the foregoing, and pursuant to 807 KAR 5:001, Garden Heights is to file with the Commission the original with six copies of the following information, with a copy to all parties of record. The information requested herein is due ten days from the date of this request. Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person’s knowledge, information, and belief formed after a reasonable inquiry.

Garden Heights shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which Garden Heights fails or refuses to furnish all or part of the requested information, Garden Heights shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in

responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, Garden Heights shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. State whether Garden Heights is providing sewer service to any customer.
2. If Garden Heights is no longer providing sewer service:
  - a. Provide the date upon which Garden Heights ceased providing sewer service;
  - b. Identify the entity that currently provides sewer service to Garden Heights' former customers;
  - c. Provide the amount of compensation, if any, Garden Heights received to transfer its customers;
  - d. Provide any agreements or other documents by or through which Garden Heights agreed to the transfer of its customers;
  - e. State whether Garden Heights transferred its facilities to another entity;
  - f. In the absence of a transfer of facilities, explain what will happen to Garden Heights' facilities if it is no longer providing sewer service;
3. State whether it is the intention of Garden Heights to no longer provide utility service in Kentucky and to not be registered as a utility with the Commission.



John S. Lyons  
Acting Executive Director  
Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

DATED JUL 11 2017

cc: Parties of Record

Case No. 2017-00045

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Owensboro, KY 42301

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