

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

THE APPLICATION OF ASH AVENUE SANITARY)
SEWER COMPANY, INC., FOR AN ADJUSTMENT)
OF RATES PURSUANT TO THE ALTERNATIVE)
PROCEDURE FOR SMALL UTILITIES)

CASE NO. 9208

O R D E R

On August 8, 1985, the Commission received a Protest Petition from Ms. Nancy McCarty, on behalf of the New Confederate Estates Maintenance Fund. The Petition was filed by over 50 customers of the Ash Avenue Sanitary Sewer Company, Inc. ("Ash Avenue"), representing over 17 percent of the entire customer body. We have also received several individual letters of protest. Each of these protests was made following receipt of a Notice from Ash Avenue that the Commission had recently approved an increase in its rates. The Commission ordered Ash Avenue to send the Notice when it was discovered that proper notice on application for increased rates was not made. The customer's notice requested comments and offered customers an opportunity to be heard at a public hearing, if so desired.

The Commission, after review of the record and being advised, hereby finds the following:

1. That the Protest Petition filed by Ms. Nancy McCarty, should be treated as a Motion to Intervene by the New Confederate Estates Maintenance Fund and be sustained. As President of the Association, Ms. McCarty is to serve as spokesperson and is to be

placed on the Service List to receive copies of all correspondence and information pertaining to this case;

2. That a public hearing should be held to allow for comment and new evidence concerning the rates charged by Ash Avenue.

IT IS THEREFORE ORDERED that the Motion to Intervene and request for a public hearing by New Confederate Estates Maintenance Fund be and it hereby is sustained.

IT IS FURTHER ORDERED that a public hearing be set for Tuesday, October 1, beginning at 10:00 a.m., Eastern Daylight Time, in Hearing Room No. 2 of the Commission's Annex Building, 677 Commanche Trail, Frankfort, Kentucky, for the purpose of receiving public comment and evidence concerning the rates being charged by Ash Avenue.

IT IS FURTHER ORDERED that Ash Avenue be represented at the hearing by appropriate officials and be ready to respond to any questions which may be asked.

IT IS FURTHER ORDERED that Notice of the hearing shall be given by Ash Avenue in accordance with the provisions of 807 KAR 5:011, Section 8(5).

Done at Frankfort, Kentucky, this 27th day of August, 1985.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:

Secretary