

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PUBLIC SERVICE COMMISSION)
)
v.) CASE NO. 9309
)
W & G LOUISVILLE ASSOCIATES)

ORDER TO DISMISS

On February 4, 1983, the Commission's Secretary notified W & G Louisville Associates (W & G) that it was operating a sewer utility subject to the Commission's jurisdiction pursuant to KRS 278.010. An informal conference was subsequently held on July 13, 1983, between officers of W & G and members of the Commission's staff. As a result of this conference, W & G agreed to file certain written information with the Commission. On November 4, 1983, the Commission's Secretary again reminded W & G that it must file certain information forthwith or a show cause proceeding would be initiated against it by the Commission. No response to the November 4, 1983, letter was received.

On April 2, 1985, the Commission issued a Show Cause Order against W & G setting a hearing to be held in the offices of the Commission on May 16, 1985. On May 19, 1985, W & G's attorney requested a continuance of the show cause hearing because the person who manages W & G's sewage

operation was recovering from major surgery. The hearing was continued until further notice.

On June 19, 1985, W & G's office procedures and plant operations were inspected for compliance with KRS 278 and Commission regulations.

Upon completion of the inspection, W & G was notified that it was not in compliance with KRS 278 and the Commission's rules and regulations. It was instructed to apply to the Commission for a certificate of public convenience and necessity, file with the Commission its existing rates, rules and 1984 annual report and supply the Commission with all requested information. On August 13, 1985, W & G filed the requested information.

The Commission, after review of the evidence of record and being advised, is of the opinion and finds that:

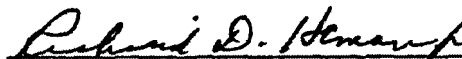
1. W & G does not need to file for a certificate of public convenience and necessity.
2. W & G has filed with the Commission its existing rates and rules which are not in full compliance with all Commission rules and regulations.
3. W & G should refile its rates, rules and regulations in accordance with Commission regulations.
4. W & G has filed its 1984 annual report.
5. The financial condition of W & G is a matter of concern and therefore the Commission will monitor the financial condition of W & G in the future.

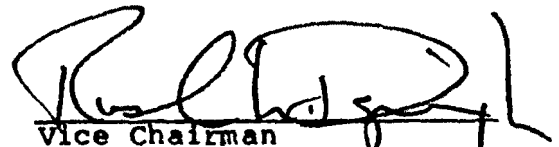
IT IS THEREFORE ORDERED that this case be and it hereby is dismissed without prejudice.

IT IS FURTHER ORDERED that W & G shall file with the Commission, within 30 days of the date of this Order, its tariff setting forth its rules, regulations, and rates in the manner prescribed by the regulations of the Commission.

Done at Frankfort, Kentucky, this 21st day of October, 1985.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary