

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

TURKEYFOOT HEIGHTS SANITATION CORPO-)
RATION: REQUEST FOR DEVIATION AND)
REMOVAL FROM LIST OF JURISDICTIONAL) CASE NO. 9409
UTILITIES)

O R D E R

The purpose of this Order is to record the removal of Turkeyfoot Heights Sanitation Corporation ("Turkeyfoot") from the list of utilities under the jurisdiction of this Commission, effective August 6, 1984, by virtue of the transfer of all the assets and business of the utility to the City of Lakeside Park ("City"), and to rule upon a request for deviation from Commission regulations.

The former owner and operator of the utility was routinely requested to file a final ("Annual") report for the period January 1, 1984, to August 6, 1984, as is customarily required to complete Commission records for the period such utility was under Public Service Commission ("Commission") jurisdiction. However, by letter of July 21, 1985, (which will be treated as a request for deviation under 807 KAR 5:001 (12) and Administrative Case No. 289,¹) Turkeyfoot's former owner requested that he be

¹ Annual Report for Calendar Year 1984 Required by Public Service Commission Regulation 807 KAR 5:006, Section 3(1), and Report of Gross Operating Revenues Derived from the Intra-Kentucky Business for the Calendar Year 1984, Required by KRS 278.140.

relieved of this obligation because of the additional financial burden. (He asserts a considerable financial loss in the delays incident to turning over the facility to the City.) The staff has been informed that Turkeyfoot has turned all records over to the City.

A periodic Compliance Inspection Report of the Commission Engineering staff, dated March 8, 1985, notes that the sewage treatment facility was in the process of being removed and its sewage lines connected to the City's lines. The report confirmed the Commission's information that the City takeover was completed in August 1984.

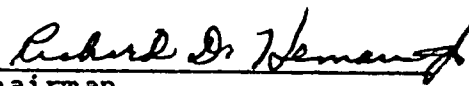
Under these circumstances, where all the records of the former owner were turned over to the successor City, which is not under Commission jurisdiction, where the additional information for the 8 months of 1984 cannot be said to be of such value to the Commission and the Commonwealth that it would outweigh the added expense to the former operator to recover and reconstruct the records necessary to file a final Annual report, the Commission finds that it is in the public interest to allow the requested deviation from PSC Regulation 807 KAR 5:001 (12).

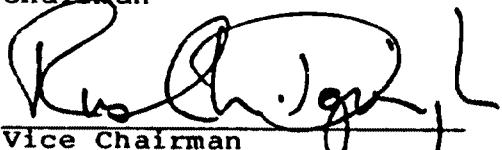
WHEREFORE, the Commission, having considered the record and being advised, hereby ORDERS that Turkeyfoot Heights Sanitation Corporation is relieved, under 807 KAR 5:001 (12) and Administrative Case No. 289, from the obligation of filing a final Annual report for the period January 1, 1984, through August 6, 1984.


IT IS FURTHER ORDERED that the former utility, Turkeyfoot Heights Sanitation Corporation, be removed from the list of utilities under Commission jurisdiction.

Done at Frankfort, Kentucky, this 26th day of September, 1985.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary