

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE MERGER OF THE MAPLE GROVE SEWER )  
CONSTRUCTION DISTRICT INTO THE )  
LOUISVILLE AND JEFFERSON COUNTY ) CASE NO. 10259  
METROPOLITAN SEWER DISTRICT )

O R D E R

On May 18, 1988, Maple Grove Sewer Construction District ("Maple Grove") filed an application requesting the Commission to approve its plan to merge with the Louisville and Jefferson County Metropolitan Sewer District ("MSD"). Maple Grove owns and operates a wastewater treatment system in an area of Jefferson County, Kentucky, not within the boundaries of MSD nor of any subdistrict. MSD owns and operates a sewer facility for the City of Louisville and portions of Jefferson County, Kentucky.

Maple Grove's application states that it has not been able to maintain a satisfactory level of treatment in accordance with local, state, and federal health and environmental rules and regulations. As a result of its inability to obtain the necessary funds to upgrade its system to meet the applicable rules and regulations, Shady Villa has proposed to merge with MSD.

Based on the evidence of record and being advised, the Commission is of the opinion and hereby finds that:

1. Maple Grove and MSD will enter into an Agreement whereby MSD will be granted complete possession, use, custody, and control of Maple Grove for the purposes of operating, maintaining,

modifying, repairing, and replacing Maple Grove's system as needed. MSD will further construct a sewer line to enable the Maple Grove waste water to be treated at MSD's existing treatment facilities.

2. All existing customers of Maple Grove will become customers of MSD and will be charged in accordance with MSD's schedule of rates.

3. MSD agrees to pay for Maple Grove the amount of all debt service requirements and payments and to otherwise act as agent for Maple Grove in performing all acts and complying with all provisions required by the 1961 and 1964 Bond Authorizing Ordinances until all outstanding Revenue Bonds are fully paid and discharged, including accrued interest.

4. Maple Grove agrees that all monies in its possession, except monies held by the Liberty National Bank and Trust Company, for the Revenue Bonds, shall become the property of MSD.

5. MSD shall receive all monies due Maple Grove and shall pay all accounts payable and/or operating costs legitimately owed by Maple Grove.

6. During the term of this Agreement, Maple Grove shall continue to hold title to the Maple Grove System until such time as all of the Revenue Bonds have been fully paid and discharged. At that time, title to said Maple Grove System shall vest in MSD immediately and automatically.

7. MSD possesses the requisite ability to operate the Maple Grove Sewer System and provide adequate, efficient, and reasonable service to Maple Grove's customers.

8. Maple Grove should file with the Commission its 1988 Annual Report covering the period through the date of merger with MSD.

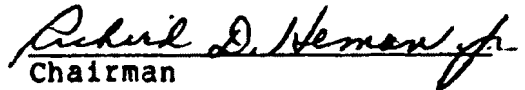
IT IS THEREFORE ORDERED that:

1. Maple Grove's request to merge into MSD be and it hereby is approved.

2. Maple Grove shall file within 30 days of the date of this Order its 1988 Annual Report for its operations through the date of merger with MSD.

Done at Frankfort, Kentucky, this 7th day of June, 1988.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

\_\_\_\_\_  
Executive Director