

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE PROPOSED MERGER OF BARNESBURG )  
WATER ASSOCIATION, BRONSTON WATER )  
ASSOCIATION, ELIHU-RUSH BRANCH )  
WATER ASSOCIATION, NELSON VALLEY )  
WATER ASSOCIATION, OAK HILL WATER )  
ASSOCIATION, PLEASANT HILL WATER ) CASE NO. 9967  
DISTRICT, PULASKI COUNTY WATER )  
DISTRICT NO. 1, PULASKI COUNTY WATER )  
DISTRICT NO. 2, AND TATEVILLE WATER )  
ASSOCIATION )

O R D E R

On February 22, 1988, the Commission entered its Order in this case directing certain Pulaski County Water Districts and Associations to merge. On May 9, 1989, Nelson Valley Water Association ("Nelson Valley"), one of the affected utilities, filed a motion for relief from the merger Order and requested approval of the purchase of Nelson Valley by the city of Somerset.

After consideration of the motion and all other evidence of record and being otherwise sufficiently advised, the Commission is of the opinion and finds that the motion should be denied for the following reasons. Although styled as a motion and application for approval of transfer of ownership of Nelson Valley to the city of Somerset, no application for approval of the transfer has actually been filed. Granting the requested relief from the merger Order absent the filing of a transfer application would result in an indefinite exemption from the merger Order for Nelson Valley without an actual transfer taking place.

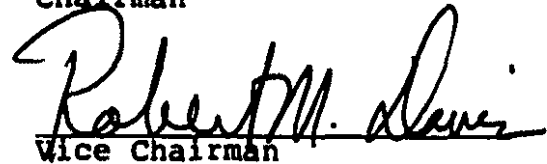
The Commission further notes that the filed motion was not served upon the parties to Case No. 9967. In the event this motion is refiled, Nelson Valley should ensure that the appropriate parties receive notice of any pending action.

IT IS THEREFORE ORDERED that the motion of Nelson Valley is denied without prejudice.

Done at Frankfort, Kentucky, this 16th day of June, 1989.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Wice Chairman

  
Commissioner

ATTEST:

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Executive Director