

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF FLEMING COUNTY WATER )  
ASSOCIATION, INC. FOR A DEVIATION FROM ) CASE NO.  
807 KAR 5:066, SECTION 17, REGARDING ) 90-267  
PERIODIC TESTS )

O R D E R

By letter received on July 26, 1990, Fleming County Water Association, Inc. ("Fleming County") requested Commission approval to deviate from Commission regulation 807 KAR 5:066, Section 17. That regulation requires utilities to test all water meters every five years. Fleming County requested that it be allowed to test all water meters every 10 years.

In Case No. 10026,<sup>1</sup> Fleming County previously requested the same deviation. In its Order of February 29, 1988, the Commission denied Fleming County's request, finding that the five year period required by the regulation should remain in effect for Fleming County until it provided sufficient evidence to justify a deviation. The Commission found that, until Fleming County performed periodic tests at the rate of 20 percent of its meters per year for four more years, it had no basis for requesting a

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<sup>1</sup> Case No. 10026, Fleming County Water Association, Inc.'s Request for Approval of Deviations from Commission Regulations on Minimum Storage Volume, Meter Testing, Inspection of Customer Service Lines and Customers' Access to Tariffs.

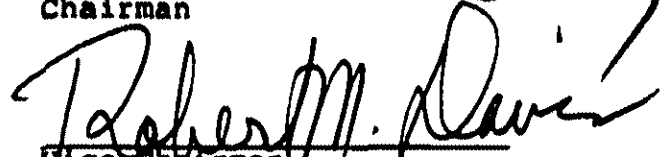
deviation from the regulation. Inasmuch as four years has not elapsed since February of 1988, and therefore Fleming County cannot have performed the tests as specified in the Commission's Order in Case No. 10026, the Commission finds that Fleming County's request for a deviation from 807 KAR 5:066, Section 17, should be denied.

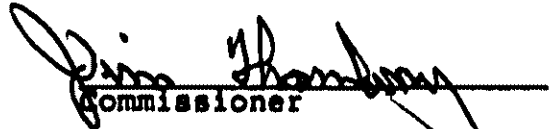
IT IS THEREFORE ORDERED that Fleming County's request for a deviation from 807 KAR 5:066, Section 17, be and it hereby is denied.

Done at Frankfort, Kentucky, this 24th day of September, 1990.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director