

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF HIMA-SIBERT WATER)
DISTRICT OF CLAY COUNTY, KENTUCKY,)
FOR AN ORDER APPROVING CONSTRUCTION) CASE NO. 90-297
FINANCING AND CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY)

O R D E R

On September 27, 1990, Hima-Sibert Water District ("Hima-Sibert") filed an application for a Certificate of Public Convenience and Necessity to construct a \$538,000 waterworks improvement project and for approval of its plan of financing for this project. This project will provide service to 104 additional customers. Project funding includes a \$252,000 loan from the Farmers Home Administration ("FmHA"), a \$250,000 grant from Appalachian Regional Commission ("ARC"), and \$36,000 from applicants for service in the proposed project area. The loan will be for a 40-year period at an interest rate of 5 percent per annum.

Hima-Sibert's application was made pursuant to KRS 278.023 which requires the Commission to accept agreements between water districts and FmHA and to issue the necessary orders to implement the terms of such agreements within 30 days of satisfactory completion of the minimum filing requirements. Given that minimum filing requirements were met in this case on September 27, 1990, KRS 278.023 does not grant to the Commission any discretionary authority to modify or reject any portion of this application.

IT IS THEREFORE ORDERED that:

1. Hima-Sibert is hereby granted a Certificate of Public Convenience and Necessity for the proposed construction project.

2. Hima-Sibert's proposed plan of financing with FmHA is accepted.

3. Hima-Sibert shall file a copy of the "as-built" drawings and a certified statement that the construction has been satisfactorily completed in accordance with the contract plans and specifications within 60 days of the substantial completion of the construction certificated herein.

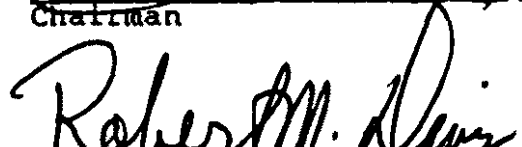
4. Hima-Sibert shall monitor the adequacies of the expanded water distribution system after construction. If the level of service is inadequate or declining or the pressure to any customer falls outside the requirements of 807 KAR 5:066, Section 6(1), Hima-Sibert shall take immediate action to bring the system into compliance with Commission regulations.

Nothing contained herein shall be deemed a warranty of the Commonwealth of Kentucky, or any agency thereof, of the financing herein accepted.

Done at Frankfort, Kentucky, this 25th day of October, 1990.

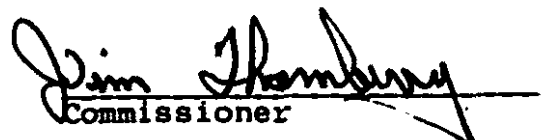
PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:


Executive Director


Commissioner