

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF THE LOUISVILLE AND )  
JEFFERSON COUNTY METROPOLITAN SEWER ) CASE NO.  
DISTRICT FOR APPROVAL TO ACQUIRE THE ) 90-395  
ASSETS OF EDEN ROC, INC. AND GEORGE E. )  
KOPPEL (ERI-GEK), A PARTNERSHIP )

O R D E R

On November 29, 1990, the Louisville and Jefferson County Metropolitan Sewer District ("MSD") submitted an application for approval of the transfer of ownership of the assets of Eden Roc, Inc. and George E. Koppel, a partnership d/b/a Eri-Gek ("Eri-Gek"), to MSD.

Having considered the evidence of record and being otherwise sufficiently advised, the Commission finds that:

1. Eri-Gek owns and operates a wastewater treatment plant serving approximately 386 customers in the West Springfield Subdivision of Jefferson County, Kentucky, and is therefore a "utility" as defined by KRS 278.010(3)(f).

2. MSD is a public body corporate and political subdivision created for the purpose of providing adequate sewer and drainage facilities in and around Jefferson County, Kentucky. KRS 76.010.

3. MSD and Eri-Gek have agreed to the transfer of ownership of the West Springfield wastewater treatment plant and all real property interest associated therewith to MSD for a total consideration of \$240,000.

4. KRS 278.020 requires Commission approval of the proposed transfer of ownership of the West Springfield wastewater treatment plant.

5. As of June 30, 1989, MSD had total assets of \$436,216,166 and total liabilities of \$42,690,879.

6. MSD has approximately 81 employees licensed as wastewater treatment plant operators.

7. MSD has the financial, managerial, and technical abilities to provide reasonable utility service to the persons currently served by Eri-Gek.

IT IS THEREFORE ORDERED that:

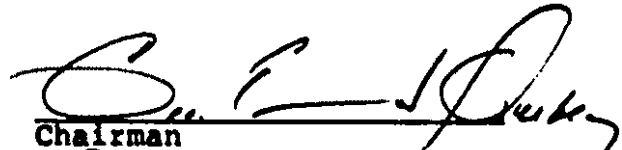
1. The transfer of ownership of the West Springfield wastewater treatment plant to MSD is approved.

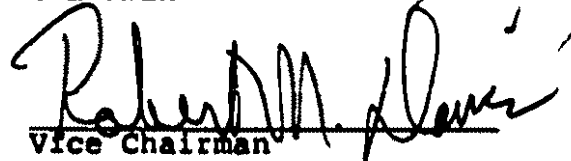
2. MSD shall file an executed copy of the agreement evidencing transfer of ownership with the Commission within 21 days of the date of this Order.

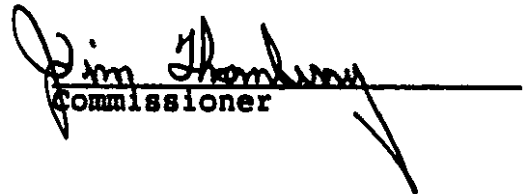
3. Until formal closing of the transfer of ownership occurs, the Commission shall retain jurisdiction over the West Springfield wastewater treatment plant and Eri-Gek shall continue to be responsible for complying with all Commission rules and regulations, including those which require the timely filing of any information, notice, or reports.

Done at Frankfort, Kentucky, this 17th day of December, 1990.

**PUBLIC SERVICE COMMISSION**

  
Chairman

  
Vice Chairman

  
Commissioner

**ATTEST:**

  
Executive Director