

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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| APPLICATION OF THE LOUISVILLE AND |) | |
| JEFFERSON COUNTY METROPOLITAN SEWER |) | CASE NO. |
| DISTRICT FOR APPROVAL TO ACQUIRE |) | 91-109 |
| THE ASSETS OF SUNSHINE/SUNGOLD |) | |
| WASTEWATER TREATMENT PLANT |) | |

O R D E R

On April 3, 1991, the Louisville and Jefferson County Metropolitan Sewer District ("MSD") submitted an application for approval of an agreement to transfer ownership of the Sunshine/Sungold wastewater treatment plant to MSD.

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

1. Sunshine Sewer System, Inc. and Ray McDonald, Inc. ("hereinafter jointly referred to as "Sunshine") and Raymond L. McDonald and Minnie McDonald (hereinafter referred to as "McDonald") own and operate a wastewater treatment plant serving approximately 963 customers in the Sunshine/Sungold Subdivision of Jefferson County, Kentucky, and therefore constitute 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 Sunshine and McDonald have agreed to the transfer of ownership of the Sunshine/Sungold wastewater treatment plant and all real property interest associated therewith to MSD for a total consideration of \$500,000.

4. KRS 278.020 requires Commission approval of the proposed transfer of ownership of the Sunshine/Sungold 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 Sunshine and McDonald.

IT IS THEREFORE ORDERED that:

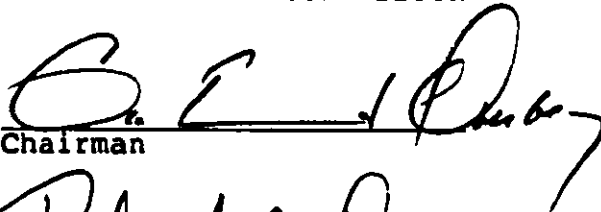
1. The transfer of ownership of the Sunshine/Sungold wastewater treatment plant to MSD is approved.

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.

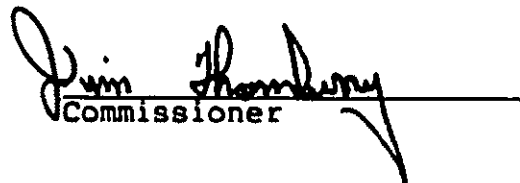
3. Until formal closing of the transfer of ownership occurs, the Commission shall retain jurisdiction over the Sunshine/Sungold wastewater treatment plant and Sunshine and McDonald shall continue to be responsible for complying with all Commission rules and regulations, including those which require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

Done at Frankfort, Kentucky, this 11th day of April, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director