

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF MAGOFFIN COUNTY )  
WATER DISTRICT OF MAGOFFIN AND FLOYD )  
COUNTIES, KENTUCKY, FOR A CERTIFICATE ) CASE NO. 92-039  
OF PUBLIC CONVENIENCE AND NECESSITY TO )  
CONSTRUCT AND FINANCE A PROJECT )

O R D E R

On January 27, 1992, Magoffin County Water District ("Magoffin Water") filed an application for a Certificate of Public Convenience and Necessity to construct a \$599,000 water-works improvement project and for approval of its plan of financing for this project. This project will provide service to 180 additional customers. Project funding includes a \$181,000 loan from the Farmers Home Administration ("FmHA"), a \$400,000 grant from the Appalachian Regional Commission ("ARC"), and \$18,000 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.

Magoffin Water'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 January 27, 1992, KRS 278.023 does not grant the Commission any discretionary authority to modify or reject any portion of this agreement.

IT IS THEREFORE ORDERED that:

1. Magoffin Water is hereby granted a Certificate of Public Convenience and Necessity for the proposed construction project.

2. Magoffin Water's proposed plan of financing with FmHA and ARC is accepted.

3. Magoffin Water 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. Magoffin Water 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), Magoffin Water shall take immediate action to bring the system into compliance with Commission regulations.

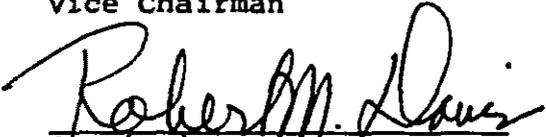
Nothing contained herein shall be deemed a warranty of the Commonwealth of Kentucky, or any agency thereof, of the financing herein accepted.

Done at Frankfort, Kentucky, this 11th day of February, 1992.

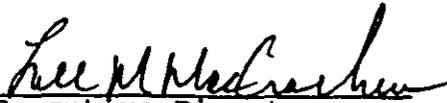
PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director