

In the Matter of:

CASE NO. 92-267

On December 6, 1991, a periodic compliance inspection was made of Oak Haven's operations by the Commission's Division of Engineering. The findings of that inspection were reduced to a report, attached hereto and incorporated herein as Appendix A, and sent to the utility on three separate occasions: December 16,

1991, January 17, 1992, and February 27, 1992, along with a letter instructing Oak Haven to respond to the report and include a schedule for correction of the deficiencies and the related cost for each improvement. Oak Haven failed to respond to any of the letters.

The following violations of 807 KAR 5:071, Sections 7(1) and (4), were noted in the report:

1. The bar screen needs to be kept clean.
2. The chlorine contact basin needs to be cleaned of sludge.
3. The effluent was not being chlorinated.
4. The plant area needs to be protected by a 6-foot high chain link fence or the grating over the plant needs to be locked down so it cannot be removed except by the operator.
5. The cabinet housing the chlorination unit needs to be locked.
6. The main electric switch on the pole next to the plant needs to be locked in the "on" position.
7. The backup blower-motor unit needs to be repaired and placed in service.
8. The weeds, trees and grass around the plant need to be cut.
9. The cabinets housing the blower/motor units need to be locked.
10. The access road to the plant needs gravel.
11. The comminutor needs to be repaired.

The Commission finds from Appendix A that a prima facie showing has been made that Oak Haven and Marvin Conrad have violated 807 KAR 5:071, Sections 7(1) and (4), by failing to

maintain and operate the sewage treatment system in accordance with good engineering practices.

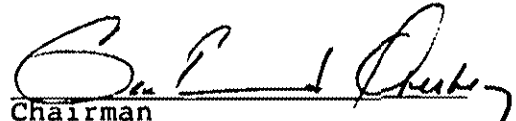
IT IS THEREFORE ORDERED that:

1. Marvin Conrad, individually and as president of Oak Haven, shall appear at a hearing scheduled for July 29, 1992, at 1:00 p.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, and be prepared to show cause why he and Oak Haven should not be penalized pursuant to KRS 278.990 for failing to comply with 807 KAR 5:071, Section 7(1) and (4), and KRS Chapter 278.

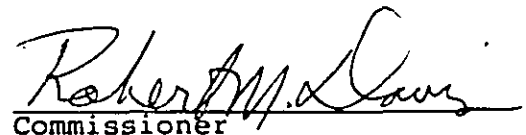
2. Oak Haven shall submit a written response to all allegations contained herein within 20 days of the date of this Order.

Done at Frankfort, Kentucky, this 29th day of June, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:



Executive Director, Acting

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 92-267 DATED JUNE 29, 1992

Commonwealth of Kentucky
Public Service Commission

UTILITY INSPECTION REPORT

Oak Haven Water and Sewer, Inc.
Falmouth, Kentucky

Utility operations, utility maintenance, utility management and their impact on utility services and operating costs are a primary concern of the Commission and this Division. Our ongoing inspection program is to determine if the utility is in compliance with Kentucky Revised Statutes (KRS Chapter 278), Public Service Commission (PSC) Regulations (807 KAR) and that adequate, efficient and reasonable service is being provided.

Daily maintenance, daily operations and good operating records are essential in the operation of an efficient utility. Our inspections are intended to determine if the utility is in compliance with PSC regulations in these areas.

On December 6, 1991, Oak Haven Water and Sewer, Inc. sewage treatment system was inspected for compliance with KRS Chapter 278 and PSC regulations (807 KAR). This utility consists of a wastewater treatment plant and a collection system. This system is located in Pendleton County and has approximately 25 customers. No representative of the utility was present during this inspection.

The improvements or corrections necessary to bring this facility into compliance with KRS Chapter 278 and PSC regulations (807 KAR) are as follows:

Oak Haven Subdivision Plant

1. The bar screen needs to be kept clean. (807 KAR 5:071, Section 7,1)
2. The chlorine contact basin needs to be cleaned of sludge. (807 KAR 5:071, Section 7,1)
3. The effluent was not being chlorinated. (807 KAR 5:071, Section 7,1)
4. The plant area needs to be protected by a 6-foot high chain link fence or the grating over the plant needs to be locked down so it cannot be removed except by the operator. (807 KAR 5:071, Section 7,4)
5. The cabinet housing the chlorination unit needs to be locked. (807 KAR 5:071, Section 7,4)
6. The main electric switch on the pole next to the plant needs to be locked in the "on" position. (807 KAR 5:071, Section 7,1)
7. The backup blower/motor unit needs to be repaired and placed in service. (807 KAR 5:071, Section 7,1)
8. The weeds, trees and grass around the plant need to be cut. (807 KAR 5:071, Section 7,1)
9. The cabinets housing the blower/motor units need to be locked. (807 KAR 5:071, Section 7,1)
10. The access road to the plant needs gravel. (807 KAR 5:071, Section 7,1)
11. The comminutor needs to be repaired. (807 KAR 5:071, Section 7,1)

Recommendations

The repair or correction of the deficiencies listed above is necessary in order to restore this facility to an acceptable

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Sewer, Inc.
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operating condition. The pertinent section of the Kentucky Administrative Regulations has been listed by each deficiency for your convenience. A written response should be prepared and forwarded to the Commission by January 16, 1992, outlining a correction schedule stating what has been completed or what will be done to correct each deficiency and the related cost of each correction. A starting date and a completion date should be given for corrections.

Submitted,
December 16, 1991


Barry N. Updike
Utility Investigator

CGR:LNU:aem