

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

A JOINT APPLICATION OF PENDLETON)
COUNTY FISCAL COURT, EAST PENDLETON)
WATER DISTRICT AND PENDLETON COUNTY) CASE NO. 94-172
WATER DISTRICT FOR A CERTIFICATE OF)
CONVENIENCE AND NECESSITY)
)

O R D E R

On March 15, 1994, the Commission received a joint application¹ from Pendleton County Fiscal Court ("Fiscal Court"), East Pendleton Water District ("EPWD"), and Pendleton County Water District ("PCWD") for a waiver from the requirement in KRS 278.020(1) that a utility receive a Certificate of Public Convenience and Necessity ("CPCN") from the Commission prior to constructing any plant, equipment, or facility that is not in the ordinary course of business.

The Commission determined that it could not grant a waiver from KRS 278.020(1) and dismissed the application by Order dated March 31, 1994.

On April 14, 1994, the Fiscal Court, EPWD and PCWD filed a joint application for a CPCN to construct the same project, with all the same terms, as was the subject of the initial request for a waiver. The parties asked that the new application be combined

¹ Case No. 94-106, A Joint Application of Pendleton County Fiscal Court, East Pendleton Water District and Pendleton County Water District for a Waiver of KRS 278.020(1).

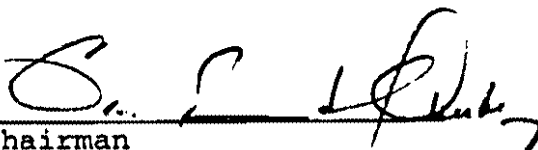
with the other items that were previously submitted for Commission review in Case No. 94-106.

The Commission finds that it would be beneficial to the parties and the Commission if the entire record of Case No. 94-106 were incorporated into this new application.

IT IS HEREBY ORDERED that the entire record of Case No. 94-106 be and is incorporated herein.

Done at Frankfort, Kentucky, this 2nd day of May, 1994.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director