

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE FAILURE OF CERTAIN UTILITIES) ADMINISTRATIVE
TO FILE ANNUAL REPORTS) CASE NO. 363

O R D E R

KRS 278.230(3) directs every utility, when required by the Commission, to file with it any report or other information that the Commission reasonably requires. Commission Regulation 807 KAR 5:006, Section 3(1), requires every utility to file with the Commission on or before March 31 of each year a financial and statistical report of its utility operations for the preceding calendar year on forms furnished by the Commission.

The following utilities subject to the Commission's jurisdiction have failed to file their Annual Reports for the calendar year ending December 31, 1996:

1. Black Mountain Utility District Sewer Division
2. Caldwell County Water District
3. Covered Bridge Utilities, Inc.
4. Dewitt Water District
5. Farmdale Water District
6. Hima-Sibert Water District
7. Lake Columbia Utilities, Inc.
8. Lewis Sanitation Company, Inc. d/b/a Garden Heights
9. Lewis Sanitation Company, Inc. d/b/a Gardenside
10. Morgan County Water District
11. Mount Olivet Natural Gas Company, Inc.
12. Mountain Utility Management Corporation
13. Oldham County Water District
14. Pleasant Hill Water District
15. River Road Disposal Systems
16. South Shore Water Works
17. South Side Water Association, Inc.

KRS 278.990(1) states that any utility which willfully violates any provision of KRS Chapter 278 or Commission regulations shall be subject to a civil penalty not less than \$25.00 nor more than \$2,500.

On December 16, 1996, the Commission provided the above-referenced utilities the standard forms for the Annual Report. According to Commission records, these reports for the 1996 calendar year have not yet been filed. The absence of these reports from Commission records constitutes prima facie evidence that these utilities have willfully failed to comply with KRS 278.230(3).

IT IS THEREFORE ORDERED that:

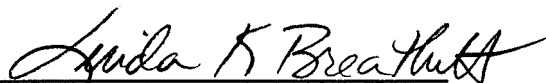
1. The above-referenced utilities shall file with the Commission, no later than July 17, 1997, their Annual Report for the 1996 calendar year.

2. A hearing shall be held on July 22, 1997, at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purpose of showing cause, if any they can, why they should not be subjected to the penalties of KRS 278.990 for their failure to comply with KRS 278.230(3).

3. If any of the utilities listed above desire to waive their right to a hearing in this matter, they shall, no later than July 17, 1997, file the required report and pay a penalty of \$250. Payment of the penalty shall be made by certified check or money order made payable to Treasurer, Commonwealth of Kentucky, and shall be delivered to the Office of General Counsel, Public Service Commission, 730 Schenkel Lane, P. O. Box 615, Frankfort, Kentucky 40602.

Done at Frankfort, Kentucky, this 20th day of June, 1997.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director