

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF GLENWOOD)
HALL GOLF & COUNTRY CLUB,)
WATER & SEWER DIVISIONS FOR A) CASE NO. 97-516
RATE ADJUSTMENT PURSUANT TO)
807 KAR 5:076 FOR SMALL UTILITIES)

O R D E R

On December 22, 1997, Glenwood Hall Golf & Country Club, Water & Sewer Divisions ("Glenwood Hall"), filed applications for an increase in water and sewer rates charged to customers.

KRS 278.180(1) states that:

"no change shall be made by any utility in any rate except upon thirty (30) days' notice to the commission . . . stating plainly . . . the time when the changed rates will go into effect."

KRS 278.190(2) provides for, pending a hearing on the proposed rate, the suspension of the proposed rate schedule and to defer the rate use for a period of 5 months. The statute also provides for a hearing to grant interim rates pending the final hearing on the rate increase, if requested.

Glenwood Hall's applications contain schedules and the proposed rate increases along with wording indicating that it is seeking emergency rate relief "effective immediately." The applications also state that the companies "operations will be materially impaired or damaged by the failure to permit the rates to become effective during the period of review."

Based upon the representations in the applications, the Commission finds that Glenwood Hall's request for interim rate relief should be suspended until further orders of the Commission.

The prior tariff filing for Glenwood Hall indicates there is a corporation operating under an assumed name or names.¹ An April 1995 filing indicated that the corporation is Southwestern Life Corporation d/b/a Glenwood Hall Resort & Country Club. 807 KAR 5:001, Section 8(3), requires a corporation to file its articles of incorporation and certificate of existence with the Commission, or reference by style and case number where they may be found if previously filed with the Commission. The applications do not refer to any previous case by style or number indicating where the articles may be found. The Commission must have the clear and concise name of the utility filing to avoid confusion by the Commission and consumers.

IT IS THEREFORE ORDERED that:


1. The proposed rates filed by Glenwood Hall are suspended until further orders of the Commission.
2. An informal conference on Glenwood Hall's request for interim rates shall be held on February 10, 1998 at 9:30 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.
3. Glenwood Hall shall file with the Commission, within 10 days from the date of this Order, the following:


¹ The August 1991 tariff filing uses the name "I.C.H. Corporation d/b/a Glenwood Hall Resort and Country Club a/k/a Perry Park Resort."

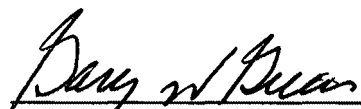
- a. Designation of the complete name of the filing utility.
- b. Articles of incorporation and, if operating under an assumed name, a copy of the certificate of the assumed name as filed with the Kentucky Secretary of State.
- c. A short account of the status or history of any corporate transfer, reorganization or restructure concerning this utility prior to February 19, 1997.

Done at Frankfort, Kentucky, this 30th day of January, 1998.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director