

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF WHITLEY COUNTY WATER DISTRICT )  
OF WHITLEY COUNTY, KENTUCKY FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT ) CASE NO.  
AND FINANCE PURSUANT TO THE PROVISIONS OF ) 98-253  
KRS 278.023 )

O R D E R

On May 8, 1998, Whitley County Water District No. 1 ("Whitley District") submitted an application for a Certificate of Public Convenience and Necessity to construct a \$2,331,400 waterworks improvement project and for approval of its plan of financing for this project. This project will provide service to 461 additional customers. Project funding is a \$600,000 bond issue to be purchased pursuant to an agreement with the U. S. Department of Agriculture's Rural Development ("RD"), a \$495,600 grant from the RD, a \$986,800 Community Development Block Grant ("CDBG"), a \$10,000 contribution from the Whitley County Fiscal Court, and a \$39,000 contribution from the Applicant.

Whitley District's application was made pursuant to KRS 278.023, which requires the Commission to accept agreements between water utilities and the U. S. Department of Agriculture or the U. S. Department of Housing and Urban Development 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 May 8, 1998, 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. Whitley District is hereby granted a Certificate of Public Convenience and Necessity for the proposed construction project.

2. Whitley District's proposed plan of financing with RD is accepted.

3. Whitley District is authorized to issue bonds not to exceed \$600,000.

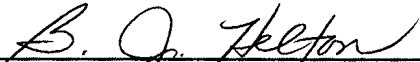
4. Whitley District shall file a copy of the "as-built" drawings and a certified statement that the construction has been satisfactorily completed in accordance with the contract plans and specifications within 60 days of the substantial completion of the construction certificated herein.


5. Whitley District 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 5(1), Whitley District shall take immediate action to bring the system into compliance with Commission regulations.

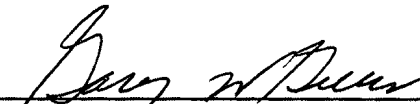
Nothing contained herein shall be deemed a warranty of the Commonwealth of Kentucky, or any agency thereof, of the financing herein accepted.

Done at Frankfort, Kentucky, this 13th day of May, 1998.

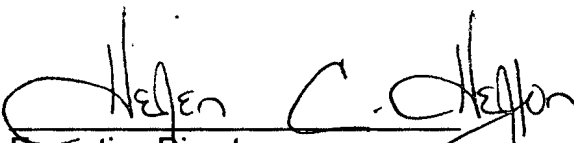
PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director