

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

I.C.H. CORPORATION A/K/A GLENWOOD HALL)
RESORT AND COUNTRY CLUB A/K/A PERRY)
PARK RESORT AND PAR-TEE LLC D/B/A)
PERRY PARK RESORT)

_____)

CASE NO.
99-210

ALLEGED VIOLATION OF KRS 278.020(4),)
KRS 278.020(5), 278.160 AND COMMISSION)
REGULATIONS 807 KAR 5:011, SECTION 2,)
AND 807 KAR 5:011, SECTION 11)

ORDER

On May 24, 1999, the Commission directed I.C.H. Corporation a/k/a Glenwood Hall Resort and Country Club a/k/a Perry Park Resort (“ICH”) and Par-Tee LLC d/b/a Perry Park Resort (“Par-Tee”) to appear before it and show cause why they should not be penalized pursuant to KRS 278.990(1) for alleged violations of KRS Chapter 278 and Commission regulations. Following the commencement of this proceeding, ICH, Par-Tee, and Commission Staff entered into negotiations to resolve all outstanding issues in this proceeding. The parties were unsuccessful in reaching a complete resolution of this matter, but were able to reach an agreement on the violation of KRS 278.020(4) and (5) and agreed that the remaining issues would be set for a hearing. A Settlement Agreement to that effect was entered by the parties on September 29, 1999. The Settlement Agreement was submitted for Commission approval and is appended hereto.

After reviewing the Settlement Agreement and being otherwise sufficiently advised, the Commission finds that the Settlement Agreement is in accordance with the law, does not violate any regulatory principle, results in a reasonable resolution of the violations of KRS 278.020(4) and (5), and is in the public interest. The Commission further finds that a hearing should be held on March 14, 2000 to resolve the remaining issues in this matter.

IT IS THEREFORE ORDERED that:

1. The Settlement Agreement, appended hereto, is incorporated into this Order as if fully set forth herein.

2. The terms and conditions set forth in the Settlement Agreement are adopted and approved.

3. Within 10 days of the date of this Order, ICH and Par-tee shall each pay to the Commonwealth of Kentucky the sum of \$500.00. Payment shall be in the form of a cashier's or certified check made payable to "Treasurer, Commonwealth of Kentucky" and shall be mailed or delivered to Office of General Counsel, Public Service Commission of Kentucky, 730 Schenkel Lane, Post Office Box 615, Frankfort, Kentucky 40602.

4. ICH and Par-Tee, through their representatives, shall appear before the Commission on March 14, 2000 at 9:30 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, for the purposes of presenting evidence concerning the alleged willful violations of KRS 278.160 and Commission Regulation 807 KAR 5:011, Section 2; of showing cause, if any, why they should not be subject to the penalties prescribed in KRS 278.990(1) for

the alleged violations; and of showing cause, if any, why all monies collected for the hook-on to the Carroll County Water District's expansion line should not be refunded.

Done at Frankfort, Kentucky, this 26th day of January, 2000.

By the Commission

ATTEST:

Executive Director

APPENDIX

APPENDIX TO THE ORDER OF THE
KENTUCKY PUBLIC SERVICE COMMISSION

IN CASE NO. 99-210

DATED JANUARY 26, 2000