

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SHADOW WOOD )  
SUBDIVISION SEWER SERVICE, A JOINT )  
VENTURE OF FOURTH AVENUE )  
CORPORATION AND LONG CORPORATION ) CASE NO. 2001-00423  
D/B/A SHADOW WOOD SUBDIVISION SEWER )  
SERVICE FOR AN ADJUSTMENT OF RATES )  
PURSUANT TO THE ALTERNATIVE RATE )  
FILING PROCEDURE FOR SMALL UTILITIES )

O R D E R

On March 12, 2002, Shadow Wood Subdivision Sewer Service ( Shadow Wood ), A Joint Venture of Fourth Avenue Corporation and Long Corporation d/b/a Shadow Wood Subdivision Sewer Service, filed an objection to a motion by Harbortown Condominium Association, Inc. ( Harbortown ) for full intervention in this proceeding. Harbortown's motion was filed on March 4, 2002 and was granted on March 8, 2002. Shadow Wood's objection shall be considered as a motion to reconsider as it was filed after the Commission's Order.

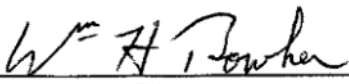
Shadow Wood is a sewer utility as defined in KRS 278.010(3)(f). Harbortown is a customer of Shadow Wood. On December 3, 2001, Shadow Wood filed an application for a rate adjustment under the Commission's Alternative Rate Filing Procedures authorized by 807 KAR 5:076. However, according to an affidavit filed by Clay Long, the president of the two corporations that comprise the Shadow Wood joint venture, while notice of the application was given to the residents of Harbortown, notice

was never given to Harbortown itself. Nevertheless, Harbortown subsequently filed its motion to intervene. The Commission granted the motion, finding that Harbortown's intervention would likely present issues and develop facts that would assist the Commission in considering the application. Upon review of Shadow Wood's objection and further review of the motion, the Commission reaffirms its finding.

This Commission, being otherwise sufficiently advised, HEREBY ORDERS that Shadow Wood's motion for reconsideration is denied.

**Done at Frankfort, Kentucky, this 28<sup>th</sup> day of March, 2002.**

ATTEST:

Deputy   
Executive Director