

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CHIMNEY ROCK)
WASTE MANAGEMENT, LLC FOR)
APPROVAL OF AN INITIAL TARIFF) CASE NO. 2002-00376
ESTABLISHING RULES, REGULATIONS,)
AND RATES FOR SERVICE)

O R D E R

Chimney Rock Waste Management, LLC (Chimney Rock) owns and operates a wastewater treatment facility that serves Chimney Rock RV Park and 18 single-family residential dwellings. The treatment facility has been in service for approximately 30 years and has had numerous owners over the years. There has never been a tariff filed with this Commission establishing rules, regulations, and charges for this facility.

On December 14, 2000, Chimney Rock purchased the facility from Myrna Burke d/b/a Chimney Rock Campground. On June 22, 2002, Chimney Rock requested Commission Staff (Staff) assistance in preparing a tariff application. Staff worked with Chimney Rock in developing an application. Chimney Rock submitted the application for Commission review on October 10, 2002. Staff having already performed a review of Chimney Rock's operations issued a Staff Report on October 21, 2002, recommending the Commission approve the proposed tariff.

On November 4, 2002, the Attorney General's Office requested to intervene in the Case. Customer protest letters were also received. To allow all parties an opportunity for discovery the Commission issued an Order on November 7, 2002, establishing a formal procedural schedule. The Order also allowed Chimney Rock to

temporarily place its proposed tariff into effect subject to refund pending the Commission's final decision in the case. No additional information or evidence was sought or produced by any party pursuant to the procedural schedule. The Commission finds that since there is no other evidence offered by any party, a formal hearing is not required or necessary in this matter.

The Commission, having reviewed the record and being otherwise sufficiently advised, finds that the recommendations and findings contained in the Staff Report are supported by the evidence of record, are reasonable, and should be adopted as the findings of the Commission.

IT IS THEREFORE ORDERED that:

1. The findings contained in the Staff Report are adopted and incorporated by reference into this Order as if fully set out herein.
2. The tariff sheets completed by Chimney Rock and included in its application as Attachment E are approved as filed and shall be placed on file and retained by this Commission as Chimney Rock's official tariff for service.
3. The rates in Appendix A are approved for service rendered by Chimney Rock on and after the date of this Order.
4. Three years from the effective date of this Order, Chimney Rock shall file an income statement, along with any pro forma adjustments, in sufficient detail to demonstrate that the rates approved herein are sufficient to meet its operating expenses.

Done at Frankfort, Kentucky, this 23rd day of January, 2003.

By the Commission

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2002-00376 January 23, 2003

The following rates and charges are prescribed for the customers in the area served by Chimney Rock Waste Management, LLC.

Monthly Sewer Rates

Single Family Residential Sewer Charge	\$40.42
Business Sewer Charge (Campground)	596.21

Non-Recurring Sewer Rates

Deposit All Customers	80.00
Late Payment Penalty	10.00
Returned Check Charge	20.00
Disconnection Charge	Actual Cost
Reconnection Charge	Actual Cost