

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MOUNTAIN WATER DISTRICT'S)	
PETITION FOR APPOINTMENT OF)	CASE NO. 2002-00408
COMMISSIONERS PURSUANT TO)	
KRS 74.020(4))	

O R D E R

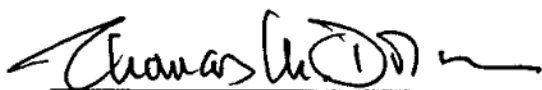
This matter is before the Commission upon a Petition for Appointment of Commissioners filed by Mountain Water District (MWD) on November 8, 2002. The duly elected county judge/executive at that time failed to name or appoint two of the members of the Board of Commissioners so that they could be approved or rejected by the Pike County Fiscal Court (Fiscal Court). On or about January 1, 2003, William M. Deskins was sworn as the new Pike County Judge/Executive. At a special meeting of the Fiscal Court held on March 3, 2003, Judge/Executive Deskins named and appointed Terry Spears and Toni Akers as members of the MWD Board of Commissioners. The Fiscal Court unanimously approved the appointments. There has been filed in the record herein a letter dated March 29, 2003 which explains fully the facts herein. In addition, there has been filed with the Commission a copy of the minutes of the March 3, 2003 meeting of the Fiscal Court and a separate appointment document for each new commissioner. The appointments having been filled according to law by Judge/Executive Deskins and the Fiscal Court renders moot the original Petition for Appointment of Commissioners filed with this Commission.

The Commission, having been sufficiently advised, HEREBY ORDERS that the Petition for Appointment of Commissioners is dismissed and is removed from the Commission s docket.

Done at Frankfort, Kentucky, this 15th day of April, 2003.

By the Commission

ATTEST:

A handwritten signature in black ink, appearing to read "Charles H. [unclear]", written over a horizontal line.

Executive Director