

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF RED BARN WASTE)	
MANAGEMENT, LLC FOR APPROVAL OF THE)	CASE NO.
TRANSFER OF OWNERSHIP AND)	2006-00051
OPERATING INTERESTS OF CHIMNEY ROCK)	
WASTE MANAGEMENT, LLC)	

O R D E R

On February 3, 2006, Red Barn Waste Management, LLC (“Applicant”) tendered its application requesting the Commission’s approval of the transfer and acquisition of control of the ownership, assets, and operating interests of Chimney Rock Waste Management, LLC. The application was complete and was accepted as filed with the Commission on the date it was first tendered, February 3, 2006.

The record must contain certain information which supports the application regarding the financial, technical, and managerial abilities of the Applicant. The Applicant has worked informally with the Commission Staff to provide some of this information, but more was needed in order for the Commission to make a proper determination.

On March 21, 2006, Commission Staff caused to be issued by the Executive Director a first data and information request to Applicant. The response to the request is to be filed on or before April 4, 2006. KRS 278.020(6) provides that the Commission has 60 days from the date of filing of the application in which to make a decision. The

60 days, in this case and application, tolls on April 4, 2006. Upon a finding of good cause, KRS 278.020(6) provides that the time period for a Commission decision can be extended or continued for an additional 60-day period.

Based on our review of the application and record, we find that there is insufficient documentary evidence of Applicant's ability to provide reasonable utility service and that the lack of this requested data and information constitutes good cause to continue the statutory review period from 60 days to 120 days in lieu of rejecting the application.

IT IS THEREFORE ORDERED that:

1. The period for review of the pending application is extended for an additional 60 days.
2. The first data and information request shall be answered on or before April 4, 2006, as if set forth originally by Commission Order.
3. This matter is subject to further orders of the Commission.

Done at Frankfort, Kentucky, this 31st day of March, 2006.

By the Commission

ATTEST:



Executive Director