

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF MALLARD POINT)	
DISPOSAL SYSTEMS, INC. TO)	CASE NO. 2006-00331
REVISE NON-RECURRING CHARGES)	

O R D E R

On June 30, 2006, Mallard Point Disposal Systems, Inc. ("Mallard Point") tendered its application to increase certain non-recurring charges. On July 11, 2006, the Executive Director of the Commission notified Mallard Point by letter that its application was rejected for certain filing deficiencies. On July 17, 2006, the Attorney General of the Commonwealth of Kentucky ("AG") filed a Motion to Intervene With Contingent Motion for Written Comments. On July 21, 2006, Mallard Point tendered its response to cure the deficiencies. The Commission entered an Order on July 31, 2006, finding that Mallard Point's application remained rejected for filing due to non-compliance with the notice provisions found in 807 KAR 5:001, Section 8, and KRS 278.185.

We find that Mallard Point's application continues to be deficient and will be removed from the Commission's docket after 10 days from the date of this Order if the deficiency is not cured or if Mallard Point fails to notify the Commission in writing of its specific plans to cure the deficiency. We further find that removal of this application from the docket will render the AG's outstanding motions moot.

IT IS THEREFORE ORDERED that:

1. Mallard Point shall cure the deficiency within 10 days of the date of this Order or shall notify the Commission in writing within 10 days of the date of this Order of its specific plans to cure the deficiency.

2. If Mallard Point fails to cure the deficiency or fails to notify the Commission of its specific plans to cure the deficiency within the allotted period, the application shall be removed from the Commission's docket without further Order of the Commission, and the AG's outstanding motions shall be considered moot.

Done at Frankfort, Kentucky, this 13th day of September, 2006.

By the Commission

ATTEST:



Executive Director