

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PROPOSED WATER PURCHASE AGREEMENT )  
BETWEEN THE CITY OF WILMORE AND ) CASE NO. 2006-00409  
JESSAMINE-SOUTH ELKHORN WATER )  
DISTRICT )

ORDER

On September 22, 2006, the Commission directed the city of Wilmore, Kentucky (“Wilmore”) to show cause why a provision contained in its proposed wholesale water agreement with Jessamine-South Elkhorn Water District (“Jessamine District”) that requires Jessamine District to pay a charge of \$1,000 to Wilmore for each customer who connects to that portion of the water district’s system to which Wilmore furnishes water should not be considered a “system development charge.” We further directed Wilmore to show cause why the proposed wholesale water agreement should not be rejected for containing a system development charge that the Commission has not approved and for which no application for its approval has been filed with the Commission.

On January 19, 2007, Wilmore advised the Commission in writing that it had entered into a new wholesale water agreement with Jessamine District that did not contain the provision that was the subject of the Commission’s Order of September 22, 2006, and submitted this agreement to the Commission for review.

The Commission finds that, in light of the contracting parties' decision to negotiate a new contract that does not contain the provision at issue in this proceeding, the Commission's investigation should be closed.

IT IS THEREFORE ORDERED that this proceeding is closed and shall be removed from the Commission's docket.

Done at Frankfort, Kentucky, this 31<sup>st</sup> day of January, 2007.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and flourishes, positioned above a horizontal line.

Executive Director