

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF THE LOUISVILLE AND)
JEFFERSON COUNTY METROPOLITAN SEWER) CASE NO.
DISTRICT FOR AN ORDER APPROVING A) 2009-00336
TRANSFER OF OWNERSHIP AND CONTROL)

O R D E R

On August 12, 2009, Louisville and Jefferson County Metropolitan Sewer District ("MSD") applied for Commission approval of the transfer of ownership and control of Shadow Wood Waste Environmental, LLC ("Shadow Wood") to MSD.

KRS 278.020(6) provides that the Commission approve or deny such application within 60 days of filing unless it is necessary, for good cause, to extend the application for an additional 60 days. Commission Staff has requested that MSD provide additional information to the Commission concerning the proposed transfer.

The Commission finds that the request for information is reasonable and necessary to evaluate the proposed transfer of Shadow Wood to MSD. We find that the time necessary for MSD to respond to the information request and for Commission Staff to examine the data presents good cause for a 60-day extension.

The Commission, on its own motion, HEREBY ORDERS that:

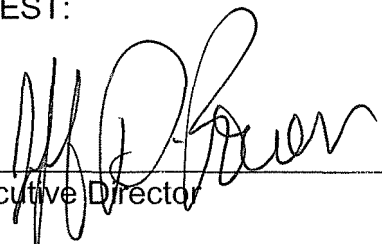
1. The application herein is continued for a period not to exceed 60 days from the date of this Order.

2. MSD shall respond to the request for information attached hereto as Appendix A.

By the Commission

ENTERED
OCT - 6 2009 *M*
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2009-00336 DATED OCT - 6 2009

MSD, pursuant to 807 KAR 5:001, is to file with the Commission the original and six copies of the following information, with a copy to all parties of record. The information requested herein is due within 15 days of the date of this information request. Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

MSD shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which MSD fails or refuses to furnish all or part of the requested information, it shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

All tax identification numbers, financial account numbers, social security numbers, dates of birth, and e-mail addresses of individuals should be redacted from material to be filed herein so those items cannot be read. Otherwise, careful attention shall be given to copied material to ensure that it is legible. When the requested

information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations.

1. The following statement is in paragraph 11 of the February 28, 2005 Agreement: "Prior to FINAL DATE, customers serviced by the SHADOWWOOD WTP shall be charged sewer service charges according to rates established by the Public Service Commission." The current Shadow Wood tariff containing the approved rates is attached hereto as Appendix B.

a. In the Agreement, MSD references the term "FINAL DATE." Provide a definition for the meaning of "FINAL DATE" in the context of the Agreement.

b. According to the Application, the assets of Shadow Wood Waste Environmental, LLC were transferred to MSD on September 17, 2008. Upon completion of the transfer, did MSD begin charging the former customers of Shadow Wood rates that differ from those contained in Appendix A?

c. If the response to 1(a) is yes, provide a schedule comparing the rates contained in Appendix A to the revised rates.

2. At page 6 of the Application, MSD states that "Since the merger, Shadowwood customers have been subject to one rate increase of 6.5%." Identify the date MSD imposed the 6.5 percent rate increase and provide a schedule comparing the rates Shadow Wood customers were charged before and after the increase.

3. Provide a schedule showing the amount of revenue MSD has collected from the Shadow Wood customers since the September 17, 2008 transfer. Calculate

the amount of revenue that would have been collected from the Shadow Wood customers if the rates in Appendix A had been charged during this period. Provide copies of all workpapers, assumptions, and calculations used to develop this response.

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2009-00336 DATED OCT - 6 2009

For: Entire Area Served
P. S. C. Ky. No. 1
Original Sheet No. 1

Shadow Wood Waste Environmental


CLASSIFICATION OF SERVICE

Residential	\$22.78 per month.
Commercial	\$22.78 per month per residential equivalent unit of 12,000 of gallons of water usage, \$22.78 per month minimum.

Issued March 1, 2005

Effective March 1, 2005

Issued by: Shadow Wood Waste Environmental
P.O. Box 83
Prospect, KY 40059

By: 
Julie K. Tinnell, President
Shadow Wood Waste Environmental

Douglas Scott Porter Louisville and Jefferson
Metropolitan Sewer District
700 West Liberty Street
Louisville, KY 40303

Julie K Tinnell
President
Shadow Wood Waste Environmental, LLC
1630 Victory Court
Prospect, KY 40059