

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF THE FAILURE OF)	ADMINISTRATIVE
WOODLAND ACRES UTILITIES, LLC TO FILE)	CASE NO. 2011-00349
REQUIRED REPORTS)	

ORDER

On October 11, 2011, the Commission ordered Woodland Acres Utilities, LLC ("Woodland Acres") to appear before us on October 27, 2011, and show cause why it should not be subject to a civil penalty for its alleged failure to comply with KRS 278.140 and KRS 278.230(3). We further ordered that, in lieu of appearing before the Commission, Woodland Acres could waive its right to a hearing, pay a civil penalty of \$250.00, and file the required report.

Woodland Acres appeared before the Commission on October 27, 2011, represented by legal counsel. Counsel for Woodland Acres made an oral motion for an extension of time up to and including November 30, 2011, to file the required reports. Counsel also waived the right to contest the assessment of a civil penalty for its failure to comply with KRS 278.230(3) and KRS 278.140. Counsel tendered payment of \$250.00 at the Hearing.

On November 30, 2011, Woodland Acres filed an Amended Motion for Extension of Time to File Reports with the Commission (the "Motion"). The Motion stated that Woodland Acres has only owned the Woodland Acres wastewater treatment plant ("WWTP") since July 2, 2009, and the Commission approved its Application for Transfer of the Woodland Acres WWTP on September 1, 2010, subject to the requirement to file

an Irrevocable Letter of Credit and Notice of Adoption and Journal Entry. These documents were filed with the Commission in the fall of 2011.

The Commission's Order of October 11, 2011 required that Woodland Acres file its annual sewer reports and sewer gross operating reports for the 2006, 2007, 2008, 2009, and 2010 calendar years. Woodland Acres' Motion requested the Commission's Order not require Woodland Acres to file reports for the time periods prior to its ownership of the Woodland Acres WWTP. The Motion also requested an extension of time to file the required reports up to and including December 31, 2011.

On December 21, 2011, the Commission granted Woodland Acres' Motion. The Commission's Order required that Woodland Acres file its annual sewer reports and sewer gross operating reports for only the 2009 and 2010 calendar years by December 31, 2011. On December 29, 2011, Woodland Acres filed a Second Amended Motion for Extension of Time to File Reports (the "second motion"). The second motion requested that Woodland Acres be granted an extension of time through and until January 31, 2012 to file the required reports.

The second motion stated Woodland Acres has begun preparing the required reports, but has not been able to complete them. Woodland Acres' second motion alleged that it has requested copies of its bank statements for the relevant time period from its bank, but the bank has not yet been able to produce the same. Woodland Acres alleges these statements are required to complete the required reports.

Having considered the motion and being otherwise sufficiently advised, the Commission HEREBY ORDERS that:

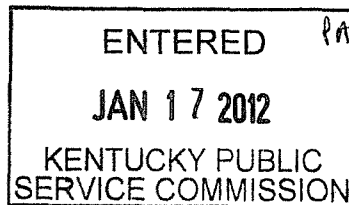
1. Woodland Acres Second Amended Motion for Extension of Time to File Required Reports is granted.

2. Woodland Acres is granted an extension of time up to and including January 31, 2012, to file its required financial and statistical reports and gross operating reports for calendar years 2009 and 2010.


3. Any further extensions of time to file the required financial and statistical reports and gross operating reports for calendar years 2009 and 2010 will be granted only upon a showing of undue hardship or exceptional circumstances.

4. Woodland Acres' failure to file the required reports by January 31, 2012, or such later date if an extension is granted pursuant to Ordering Paragraph 3, will be considered a violation of this Order for purposes of assessing a penalty under KRS 278.990.

By the Commission



ATTEST:


Executive Director

Administrative
Case No. 2011-00349

Joe Murphy
Woodland Acres Utilities, LLC
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