

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION OF EXISTING AND)	CASE NO.
FUTURE SERVICE OF BULLITT UTILITIES,)	2014-00163
INC.)	

ORDER

On May 5, 2015, Commission Staff received a letter from Darrin Casper, Chief Financial Officer, Industrial Solutions, Veolia Water Technologies, Inc. ("Veolia"), stating Veolia's intention to terminate its May 2014 Mobile Water Service Agreement with Bullitt Utilities, Inc. ("Bullitt Utilities") unless Bullitt Utilities pays the past due balance of \$1,843,344 to Veolia. Veolia intends to terminate its services and begin removing the temporary wastewater treatment plant effective June 3, 2015. A copy of Veolia's letter is attached as the Appendix to this Order.

According to the testimony during the March 31, 2015 Hearing, the Veolia temporary wastewater treatment plant is essential for Bullitt Utilities to continue treating wastewater from the Hunters Hollow subdivision until a physical connection between Bullitt Utilities and Bullitt County Sanitation District ("BCSD") is established. Testimony during the March 31, 2015 Hearing also indicated that Bullitt Utilities and BCSD were contemplating a contract for a temporary physical connection using pumps and valves.

The Commission, on its own motion, HEREBY ORDERS Bullitt Utilities to provide a copy of a contract between Bullitt Utilities and BCSD, within seven days of this Order,

allowing a temporary connection, and which indicates a firm date as to when the temporary connection will be completed and a firm date for BCSD to accept the wastewater from Bullitt Utilities.

By the Commission

ENTERED
MAY 07 2015
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2014-00163 DATED **MAY 07 2015**



RECEIVED

MAY 05 2015

PUBLIC SERVICE
COMMISSION

Via E-Mail and UPS

May 4, 2015

Christopher G. Cogan
As Power of Attorney for
Carroll F. Cogan
President

Bullitt Utilities, Inc.
P.O. Box 91588
Louisville, Kentucky 91588

Bullitt Utilities, Inc.
169 Octagon Ave.
Hunters Hollow, Kentucky 40229

Re: Mobile Water Service Agreement – Notice of Termination

Dear Mr. Cogan:

Bullitt Utilities, Inc. ("Bullitt") is in material breach of its payment obligations to Veolia Water Solutions & Technologies North America, Inc., the predecessor to Veolia Water Technologies, Inc. (collectively, "Veolia") under the Mobile Water Service Agreement (the "Agreement") executed by the parties in May of 2014. Bullitt owes Veolia \$1,843,344 as of May 1, 2015. To date, Bullitt has only paid Veolia \$70,000 plus a security deposit of \$54,250.

Veolia provides Bullitt with this Notice of Termination advising Bullitt that Veolia is terminating the Agreement effective Wednesday, June 3, 2015 or about 30 days from this Notice. Absent payment by Bullitt of its past due balance to Veolia, Veolia intends to remove its facilities from the Bullitt site as soon after June 3, 2015 as is practical.

By June 3, 2015 Veolia's facilities will have been at the Bullitt site for nearly a year with no payment by Bullitt since the \$20,000 received on or about January 23, 2015. The 30 days' Notice before Veolia removes its equipment gives Bullitt the opportunity to connect its facilities to the facilities of the Bullitt County Sanitation District or execute an alternative solution. Bullitt has repeatedly advised Veolia that an alternate solution is imminent and it is time for one of those alternate solutions to be implemented.

Please e-mail or call me if you would like to discuss this matter in more detail.

Sincerely,

Darrin Casper
Chief Financial Officer, Industrial Solutions
Veolia Water Technologies, Inc.

cc: Robert C. Moore
Ann Ramser ✓
Daniel Cleveland
John S. Talbott
Scott Stutler
Holland N. McTyeire, V

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