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Vice Chairman

Gregory Coker
Commissioner

March 10, 2006

RE: Case No. 2004-00348

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell
Executive Director

BOD/jc
Enclosure

William K. Fulmer, II
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Florence, KY 41042

James L. Smith
Manager
Carroll County Water District #1
205 Main Cross
P. O. Box 350
Ghent, KY 41045

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

HOWARD B. KEEN)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2004-00348
)	
CARROLL COUNTY WATER DISTRICT #1)	
)	
DEFENDANT)	

O R D E R

Howard B. Keen filed a formal complaint with the Commission against Carroll County Water District #1 (“Carroll District”) alleging that Carroll District was improperly attempting to impose a charge for a “road bore back” in addition to the standard meter connection fee. Mr. Keen asserts that the tariff provision allowing the bore back fee does not apply to his request for an extension of service. Carroll District asserted that the charge for the bore back is proper because Mr. Keen refused to grant Carroll District an easement to install a water main across his property.

At a hearing held before the Commission’s hearing officer, the parties reached a tentative settlement agreement. The parties seek Commission approval of the settlement agreement; however, Commission approval of the settlement agreement is unnecessary as it appears that the complaint has been satisfied. Pursuant to 807 KAR 5:001, Section 12(5), after an offer of satisfaction by a defendant and a complainant’s acceptance of the offer, no further proceedings are necessary.

IT IS THEREFORE ORDERED that:

1. Within 10 days of the date of this Order, Complainant shall file with the Commission notice of Carroll District's satisfaction, or lack of satisfaction, of the complaint.
2. If no such filing is received, the complaint shall be considered satisfied, and this case shall be closed.

Done at Frankfort, Kentucky, this 10th day of March, 2006.

By the Commission

ATTEST:



Executive Director