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July 6, 2005

Ms. Elizabeth O'Donnell
Executive Director
Public Service Commission of Kentucky
211 Sower Boulevard
Frankfort, Kentucky 40601

Re: PSC CASE NO. 2005-00238

Dear Ms. O'Donnell:

Enclosed for filing in the above matter please find applicant's Motion for Leave to Withdraw Application in the above case.

Your assistance in this matter is appreciated.

Very truly yours,

DORSEY, KING, GRAY, NORMENT & HOPGOOD

By


Frank N. King, Jr.

FNKJr/cds

Encls.

COPY/w/encls.: Henderson County Water District
Quest Engineers, Inc.

COMMONWEALTH OF KENTUCKY
Before the Public Service Commission

IN THE MATTER OF THE APPLICATION OF)
HENDERSON COUNTY WATER DISTRICT FOR)
ISSUANCE OF CERTIFICATE OF CONVENIENCE)
AND NECESSITY) Case No. 2005-00238

MOTION FOR LEAVE TO WITHDRAW APPLICATION

Now comes applicant, HENDERSON COUNTY WATER DISTRICT, by counsel, and moves the Commission for leave to withdraw the application in this case on the grounds that pursuant to Part 1 F.20.(3) of HB 267 a certificate of public convenience and necessity is not required because applicant is a Class A or B utility as defined in the Uniform System of Accounts established by the Commission and, as set forth in the application, (1) the applicant will not, as result of the subject 2005 Water System Improvements project, incur obligations requiring Commission approval pursuant to KRS 278.300, and (2) the applicant will not, as a result of said project, increase rates to its customers.

For assurance that a certificate is not required for the subject project, applicant requests the Commission to make a finding in its order that a certificate is not required for the project that is the subject matter of this case.

WHEREFORE, applicant respectfully moves the Commission for leave to withdraw the subject application, thereby closing this case; to make a finding in its order that a certificate is not required for the project set forth in said application; and to afford applicant all proper relief.

DORSEY, KING, GRAY, NORMENT & HOPGOOD
318 Second Street
Henderson, Kentucky 42420
Attorneys for Henderson County Water District

By 
Frank N. King, Jr.