



Ernie Fletcher
Governor

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Chairman

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Commonwealth of Kentucky
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John W. Clay
Commissioner

Timothy J. LeDonne
Commissioner
Department of Public Protection

June 19, 2007

Honorable John N. Hughes
Attorney at Law
124 West Todd Street
Frankfort, KY 40601

CERTIFICATE OF SERVICE

RE: Case No. 2006-00328
Commonwealth Wastewater Systems, LLC

I, Beth O'Donnell, Executive Director of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the addressee by U.S. Mail on June 19, 2007.

A handwritten signature in black ink, appearing to read "Beth O'Donnell", written over a horizontal line.

Executive Director

BOD/tw
Enclosure



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Gregory E. Powell
Commonwealth Wastewater Systems, LLC
13029 Middletown Industrial Blvd.
Suite 100
Louisville, KY 40223

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Honorable David Edward Spenard
Assistant Attorney General
Office of the Attorney General Utility & Rate Intervention Division
1024 Capital Center Drive
Suite 200
Frankfort, KY 40601-8204

June 19, 2007

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO THE TARIFF OF)
COMMONWEALTH WASTEWATER SYSTEMS,) CASE NO.
INC.) 2006-00328

O R D E R

On September 13, 2006, the Commission initiated an investigation to examine Commonwealth Wastewater Systems, Inc.'s ("Commonwealth") tariff regarding any and all references to the provisions of service to a statewide customer base. On October 27, 2006, the Attorney General of the Commonwealth of Kentucky's ("AG") motion for full intervention was granted.

On November 21, 2003, Commonwealth filed a petition for Commission authorization to operate a utility to provide wastewater services in the Commonwealth of Kentucky, authorization to construct facilities, and authorization for initial rates. On June 3, 2004, the Commission entered an Order which, inter alia, approved a Certificate of Public Convenience and Necessity for a wastewater plant to serve approximately 24 residential customers in Boyle County, Kentucky.¹ On September 15, 2004, Commonwealth filed its initial tariff, containing language referring to Commonwealth as a "corporation organized and engaged in business as a public utility with a state-wide

¹ Case No. 2003-00431, Application of Commonwealth Wastewater Systems, LLC for a Certificate of Convenience and Necessity, Initial Rates and Authority to Operate.

service area in the Commonwealth of Kentucky. . .with its purpose. . .to establish procedures for furnishing wastewater collection and treatment services on a uniform basis to the Company's customers within the Commonwealth of Kentucky." The inconsistency of the language regarding its service area in Commonwealth's initial tariff, and that in the Commission's Order, was the basis for this investigation.

An informal conference was held on May 16, 2007, with Commission Staff, Commonwealth, and the AG present. At this conference, Commonwealth's current situation was discussed. Commonwealth represented that it currently had 7 customers being served, all in one subdivision in Boyle County, Kentucky. When the issue of the initial tariff's non-conformance to the Commission's Order regarding Commonwealth's service area was discussed, Commonwealth agreed to revise its tariff. Commission Staff also requested that Commonwealth's tariff be revised to correct a numerical typographical error and to add an emergency call number. Agreement was reached on all three issues, and, on May 23, 2007, Commonwealth filed revised tariff sheets which addressed the concerns raised at the informal conference. Due to a page numbering problem with the revised sheets as filed, on June 13, 2007, Commonwealth replaced these sheets with correctly numbered sheets.

After consideration of Commonwealth's revised tariff and being sufficiently advised, the Commission finds that Commonwealth's tariff, as revised, should be approved.

IT IS THEREFORE ORDERED that:

1. Commonwealth's tariff, as revised, is approved.
2. This case is concluded and is removed from the Commission's docket.

Done at Frankfort, Kentucky, this 19th day of June, 2007.

By the Commission

ATTEST

Executive Director

Case No. 2006-00328