

Reply to: Covington

September 21, 2007

Commonwealth of Kentucky
Public Service Commission
Attention: Filings
211 Sower Boulevard
Frankfort, KY 40601

RECEIVED
SEP 24 2007
PUBLIC SERVICE
COMMISSION

RE: Carroll County Water District, No. 1 v. Whitehorse Development Co. vs. Gallatin County
Water District
Case No. 2007-00202

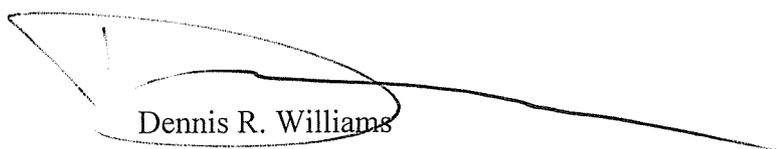
Dear Sir or Madam:

Enclosed please find an original and 11 copies of a Supplemental Memorandum in Support of Motion to Intervene on behalf of Whitehorse Development. Please file same and return to me a filed stamped copy in the self-addressed, stamped envelope enclosed for your convenience.

If you have any questions or comments, please feel free to contact me.

Sincerely,

ADAMS, STEPNER,
WOLTERMANN & DUSING, P.L.L.C.


Dennis R. Williams

DRW:smg

Enclosure

Cc: Ruth H. Baxter
Stephen P. Huddleston

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICES COMMISSION
CASE NO. 2007-00202

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SEP 24 2007
PUBLIC SERVICE
COMMISSION

IN RE: The Matter of:

CARROLL COUNTY WATER DISTRICT, NO. 1	:	CASE NO. 2007-00202
	:	
Plaintiff,	:	
Vs.	:	
	:	
WHITEHORSE DEVELOPMENT CO.	:	
	:	
Intervening Plaintiff,	:	
	:	
Vs.	:	
	:	
GALLATIN COUNTY WATER DISTRICT	:	
	:	
Defendants.	:	

SUPPLEMENTAL MEMORANDUM
IN SUPPORT OF MOTION TO INTERVENE

The Intervening Plaintiff, Whitehorse Development Company (“Whitehorse”), by and through counsel, for its Supplemental Memorandum in Support of its Motion to Intervene, states as follows:

In further support of its Motion to Intervene as filed herein, the Intervening Plaintiff states as follows:

That its development consists of 51 acres on the north side of the intersection of Interstate I-71 at exit 55 in Gallatin County, Kentucky. The development is split by Ky 1039 with approximately 24 acres lying on the east side of Ky 1039 and approximately 27 acres lying on the west side of Ky 1039. See attached map, Exhibit “A.” Whitehorse has been developing the

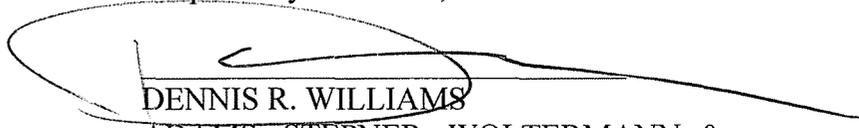
east 24 acre tract over the last 18 months. In doing so, it has divided the 24 acre tract into two parcels. One is a 19 acre pad which is under contract for sale to Love's County Store, with an anticipated closing date of October 4, 2007. Whitehorse has substantially completed all work on the 24 acre site including rough grading, sanitary sewers and water line up to within approximately 200 feet of the Gallatin County 8" water line. Love's has indicated that it intends to begin construction of their facility in November 2007.

MTF Engineering, Inc. has calculated the typical water usage needs of a Love's County Store development of the size being developed. See their letter of September 21, 2007 attached as Exhibit "B." Per their calculations the maximum daily usage would be 9,600 gallons of water per day. The maximum hourly need would approximately be 400 gallons per hour. The maximum monthly need would be 288,000 gallons per month.

Whitehorse has worked on this development for over 18 months, it has been in regular contact with the utility providers in the area. It has relied on and been constantly reassured that water would be available to service this development. It is in immediate need to have the access to sufficient water flow determined and assured or it risks losing its prospective purchaser.

Wherefore, it requests that its Motion to Intervene be granted and that it be permitted to complete connection to the existing Gallatin County water line which is already constructed and offers the only sufficient source of water currently available for this development.

Respectfully submitted,



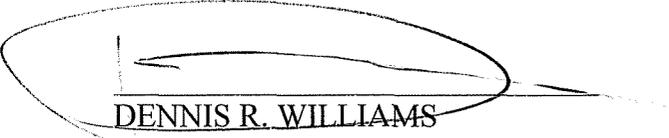
DENNIS R. WILLIAMS
ADAMS, STEPNER, WOLTERMANN &
DUSING, P.L.L.C.
40 West Pike Street
PO Box 861
Covington, KY 41012-0861
(859) 394-6200

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed via regular U.S. Mail, postage pre-paid, this 21st day of September, 2007 to:

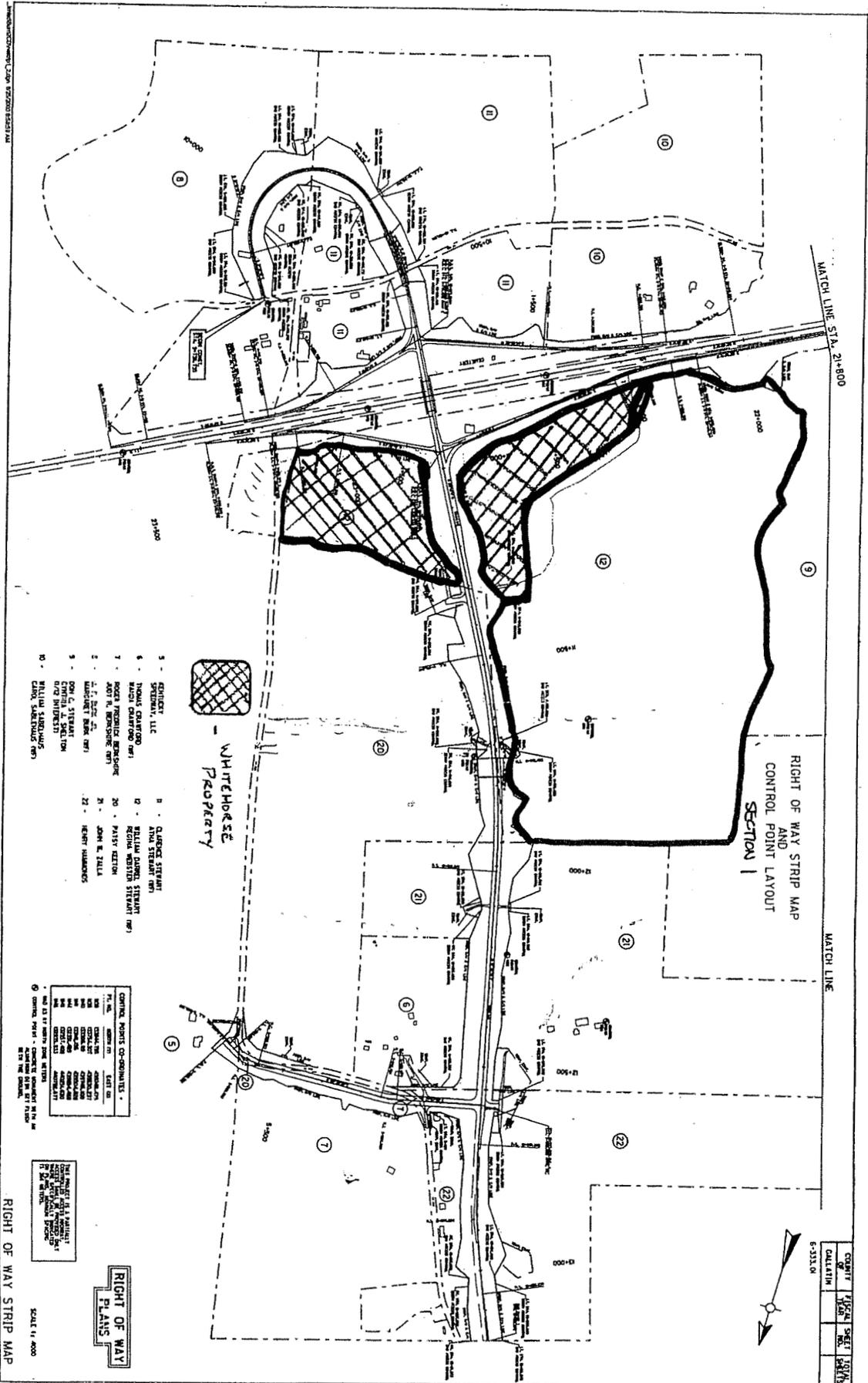
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Attorney for Plaintiffs

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P.O. Box 807
Warsaw, Kentucky 41095
Attorney for Defendant


DENNIS R. WILLIAMS

323219.1
9/21/2007

Exhibit 'A'



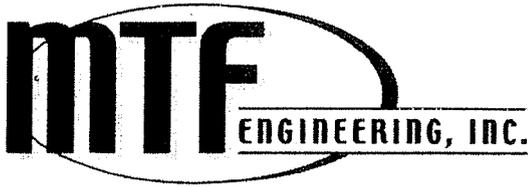


Exhibit "B"

September 21, 2007

Project: Loves Country Store
Plan Check #:
Project Address:
Subject: Water Usage Calculations

The following water usage calculation is an approximation only. The water usage calculation is based on the table "I-3" found in Appendix "I" of the Uniform Plumbing Code (1994 Edition). This table gives the same calculation method as that found in the Arizona Administrative Code section "Department of Environmental Quality – Water Pollution Control".

The Loves Country Store design has 7 truck bays, and 8 car bays. According to the tables mentioned above, the Uniform Plumbing Code would expect 1,000 gallons/day use for the first bay, and 500 gallons/day use for every additional bay. This would equal approximately 8,000 gallons per day.

Using 20% peak factors the maximum daily would equal approximately 9,600 gallons per day. The maximum hourly would equal approximately 400 gallons per hour. The maximum monthly would equal approximately 288,000 gallons per month.

After discussions with Loves this is very similar to what they would see on a similar size store.

Once again this is only an approximation, based on tables provided by the Uniform Plumbing Code (1994 Edition) and/or the Arizona Administrative Code.

FIXTURE UNIT CALCULATIONS

FLUSH VALVES = 1, FLUSH TANKS = 2 1

PROJECT NAME: Love's Oakdale, WI
 PROJECT NUMBER: 7012 0
 DATE: 4/11/07

FIXTURE TYPE	QUANTITY	COLD WATER FIXTURE UNITS		HOT WATER FIXTURE UNITS		WASTE FIXTURE UNITS *		WATER GPM
		FU EACH	TOTAL FU	FU EACH	TOTAL FU	FU EACH	TOTAL FU	
BATHTUB OR COMBINATION BATH/SHOWER		3		3		20		
BATHTUB WITH 3/4" FILL VALVE		8		8		20		
BIDET		1		1		20		
CLOTHES WASHER, DOMESTIC	1	3	3	3	3	30	3	
DENTAL UNIT, CUSPIDOR		1		1		10		
DISHWASHER, DOMESTIC		15		15		20		
DRINKING FOUNTAIN OR WATERCOOLER		0.5		0		0.5		
FLOOR DRAIN - 1-1/2"		0		0		20		
FLOOR DRAIN - 2"	9	0		0		30	27	
FLOOR DRAIN - 3"	2	0		0		50	10	
FLOOR DRAIN - 4"		0		0		60		
FOOD WASTE GRINDER, COMMERCIAL		0		0		30		
HOSE BIBB	1	2.5	2.5	0		0.0		
HOSE BIBB, EACH ADDITIONAL	1	1	1	0		0.0		
LAVATORY	11	1	11	1	11	10	11	
SHOWER SINGLE HEAD, 2" DRAIN	5	1.5	7.5	1.5	7.5	20	10	
SHOWER MULTIPLE HEAD, EACH ADDITIONAL		1.5		1.5		10		
SINKS - BAR, PRIVATE		0.75		0.75		10		
SINKS - BAR, PUBLIC		1.5		1.5		20		
SINKS - CLINICAL		2.5		2.5		60		
SINKS - CLINICAL, FLUSH VALVE		8		0		80		
SINKS - COMMERCIAL, 1-1/2" OR 2" DRAIN		2.5		2.5		30		
SINKS - KITCHEN, DOMESTIC (INCL. DISPOSER)		1.5		1.5		20		
SINKS - LAUNDRY, INCLUDING CLOTHES WASHER		1.5		1.5		20		
SINKS - SERVICE OR MOP BASIN, 2" DRAIN		2.5		2.5		30		
SINKS - SERVICE OR MOP BASIN, 3" DRAIN	1	2.5	2.5	2.5	2.5	30	3	
SINKS - SERVICE, FLUSHING RIM		20		0		60		
SINKS - SPECIAL PURPOSE, 2" DRAIN		2.5		2.5		30		
SINKS - SPECIAL PURPOSE, 3" DRAIN		2.5		2.5		40		
SINKS - WASHUP, EACH SET OF FAUCETS		1.5		1.5		20		
URINAL, 1.0 GPF FLUSH VALVE	4	13.25	53	0		20	8	
URINAL, GREATER THAN 1.0 GPF FLUSH VALVE		0		0		20		
URINAL, FLUSH TANK		2		0		20		
WASHFOUNTAIN, 1-1/2" DRAIN		3		3		20		
WASHFOUNTAIN, 2" DRAIN		3		3		30		
WATER CLOSET - 1.6 GPF GRAVITY TANK		2.5		0		40		
WATER CLOSET - 1.6 GPF FLUSHMETER TANK		2.5		0		40		
WATER CLOSET - 1.6 GPF FLUSH VALVE	13	15	195	0		40	52	
WATER CLOSET - GREATER THAN 1.6 GPF TANK		5.5		0		60		
WATER CLOSET - GREATER THAN 1.6 GPF VALVE		0		0		60		
KITCHEN EQUIPMENT - WATER GPM								0
TOTALS			275.5		24		124.0	110
			COLD WATER FU		HOT WATER FU		WASTE FU	WATER GPM