

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF FARMDALE)
DEVELOPMENT CORPORATION) CASE NO. 2007-00331
FOR AUTHORIZATION TO ENTER)
INTO PROMISSORY NOTE)

O R D E R

Farmdale Development Corporation ("Farmdale") has applied to the Commission for authority to execute a promissory note to obtain the necessary funding to make improvements and repairs to its system so that it can maintain the continuity and reliability of service to its customers. In its application, Farmdale requests permission to deviate from certain filing requirements of 807 KAR 5:001.¹

Farmdale requests permission to deviate from 807 KAR 5:001, Section 11(2)(a), which requires the filing of a financial exhibit covering "operations for a twelve (12) month period . . . ending not more than ninety (90) days prior to the date the application is filed."² In support of its request, Farmdale contends that "[t]he 2006 Annual Report should satisfy the requirement to submit financial information, even though it is more than ninety (90) days old, because there have been no substantial changes in the operation

¹ 807 KAR 5:001, Section 14, provides the Commission with the authority to permit deviations from its rules of procedures for good cause shown.

² 807 KAR 5:001, Section 6. 807 KAR 5:001, Section 11(2)(a), refers to Section 6.

of the Farmdale WWTP or its finances.”³ Farmdale included a copy of its 2006 Annual Report to the Commission in its application.

Farmdale further requests permission to deviate from 807 KAR 5:001, Section 11(1)(a), which requires submission of “[a] general description of the applicant’s property and the field of its operation, together with a statement of the original cost of the same and the cost to the applicant,” and from 807 KAR 5:001, Section 11(2)(c), which requires submission of “[m]aps and plans of the proposed property and constructions together with detailed estimates.” Farmdale states that this information is set forth in the record of Case No. 2006-00028⁴ and requests that that record be incorporated by reference into this proceeding.

Having reviewed Farmdale’s application and being otherwise sufficiently advised, the Commission finds that:

1. The record of Case No. 2006-00028 should be incorporated by reference into the record of this proceeding.
2. The record of Case No. 2006-00028 contains the information that 807 KAR 5:001, Section 11(1)(a) and (2)(c) requires.
3. Farmdale’s Annual Report to the Commission for the calendar year ending December 31, 2006 provides accurate and relevant information regarding Farmdale’s

³ See letter from Robert C. Moore, legal counsel for Farmdale Development Corporation, to Robert Cowan, Commission Counsel, Public Service Commission (Aug. 28, 2007).

⁴ Case No. 2006-00028, Application of Farmdale Development Corporation for an Adjustment of Rates Pursuant to the Alternative Rate Filing Procedure for Small Utilities (Ky. PSC Apr. 11, 2007).

current financial operations and will adequately substitute for a financial exhibit for a 12-month period of operations ending on or about April 26, 2007.

4. Good cause exists to grant Farmdale's requests to deviate from 807 KAR 5:001, Sections 6, 11(1)(a), and 11(2)(c).

IT IS THEREFORE ORDERED that:

1. The record of Case No. 2006-00028 is incorporated by reference into the record of this proceeding.

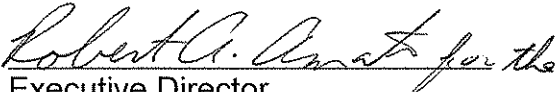
2. Farmdale's request for permission to deviate from 807 KAR 5:001, Sections 6, 11(1)(a), and 11(2)(c), is granted.

3. Farmdale's application is accepted for filing as of August 28, 2007.

Done at Frankfort, Kentucky, this 7th day of September, 2007.

By the Commission

ATTEST:


Executive Director