

Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet



Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
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David L. Armstrong
Chairman

James Gardner
Vice Chairman

Charles R. Borders
Commissioner

January 5, 2010

Douglas Scott Porter
Louisville and Jefferson County MSD
700 West Liberty Street
Louisville, KY 40303

RE: Case No. 2009-00494
Shadow Wood Waste Environmental, LLC

The Commission staff has reviewed your response and has determined that your application in the above case now meets the minimum filing requirements. Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further assistance, please contact James Goff at 502/564-3940.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen".

Jeff Derouen
Executive Director

JD/rs
Enclosure

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Julie K. Tinnell
Shadow Wood Waste Environmental, LLC
1630 Victory Court
Prospect, KY 40059

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Jeff Derouen
Executive Director

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Enclosure

RECEIVED

DEC 11 2009

PUBLIC SERVICE COMMISSION

BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

In the Matter of:

No. 2009-00494

Application of the Louisville and Jefferson County Metropolitan Sewer District For an Order Approving a Transfer of Ownership and Control

FILED

RECEIVED

DEC 30 2009

DEC 30 2009

APPLICATION PUBLIC SERVICE COMMISSION

PUBLIC SERVICE COMMISSION

Applicant, the Louisville and Jefferson County Metropolitan Sewer District ("MSD") hereby resubmits its application to the Kentucky Public Service Commission ("PSC") for (a) approval pursuant to KRS 278.020(5) of a transfer of ownership and control of a jurisdictional utility, and (b) any other approval necessary relating to the acquisition of the Shadowwood Wastewater Treatment Plant. In support of its request, MSD states as follows:

THE APPLICANT

- 1. MSD is a public body corporate created and organized pursuant to KRS Chapter 76 of the Kentucky Revised Statutes, whose address is 700 West Liberty Street, Louisville, Kentucky.
2. MSD's statutory responsibilities include the providing of sewage and drainage facilities to the public; the regulation of public and private sewers and drains and the discharge of waste and waters into the sewer system, and is authorized to provide for wastewater discharge permits and abatement of and liabilities and penalties for the violations of MSD's regulations and Metro Government ordinances.
3. In order to carry out these responsibilities MSD owns and operates wastewater treatment plants and pump stations which comprise part of the sanitary sewer system throughout Jefferson County.
4. Pursuant to KRS 76.070 and KRS 76.110, MSD has the legal authority to acquire land and existing facilities.
5. MSD is not a utility as defined by KRS 278.010(3)(f) and is not subject to Public Service Commission jurisdiction for the establishment of rates or subsequent approval of rate adjustments.