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NOV 22 2010

PUBLIC SERVICE
COMMISSION

November 19, 2010

Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, Kentucky 40602-0615
Attn: Virginia Gregg, Esq.

Re: Case No. 2010-00313

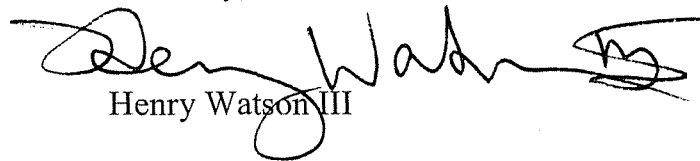
Dear Ms. Gregg:

Enclosed is an executed Joint Withdrawal of Application, for the above referenced case, as we have previously discussed this week.

Also enclosed is a self addressed envelope, and two (2) copies; I very much appreciate you stamping each as filed, and returning them to me in the envelope provided, and I will see that Judy Wright, Esq., receives a copy for her files.

Please do not hesitate to contact me if you have any questions, and thank you for your kind and prompt attention.

Sincerely,



Henry Watson III

HW/sma

Enclosure

cc: Mayor DeFalco
Falmouth City Council
Judy Wright, Esq.
Bill Mitchell
Terry England, City Clerk

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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COMMISSION

In the Matter of:

JOINT APPLICATION OF CITY OF)	
FALMOUTH, KENTUCKY AND EAST)	CASE NO.
PENDLETON WATER DISTRICT FOR)	2010-00313
AN ORDER APPROVING TRANSFER OF)	
SEWER UTILITY)	

JOINT WITHDRAWAL OF APPLICATION

Come now the City of Falmouth, by counsel, (“City”) and the East Pendleton Water District, by counsel, (“East Pendleton”) and request that their Joint Verified Application of Leave to Transfer filed with the Public Service Commission on August 4, 2010 be withdrawn from consideration. The City and East Pendleton believe that the circumstances underlying their Agreement have changed. The Capital Improvements Project originally envisioned to incorporate the Oak Haven Package Treatment Plant has recently undergone extensive review and revision, and the City believes that it cannot amend the application, provide all the necessary supporting documentation, and allow the PSC ample time to thoroughly consider the request prior to the statutorily set December 2, 2010 deadline.

The City believes that it ultimately is in the best interest of the community to eventually incorporate the Oak Haven Package Plant into the regional

wastewater treatment system operated by the City, but it must be completed in a manner that is also financially sound. To that end, the City believes that withdrawing the application now will allow it to make the necessary revisions and to resubmit the application in the future.

*Judy M. Wright by
Henry Watson III as
attorney*

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Water District

Respectfully submitted,

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Counsel for the City of Falmouth

CERTIFICATION

I certify that a true and correct copy of the foregoing Withdraw of Application was served upon the East Pendleton Water District by serving its counsel of record, Judy M. Wright, Esq., Wright & Wright Law Offices, 217 West Shelby Street, P.O. Box 303, Falmouth, Kentucky 41040, on this the 18th day of November, 2010.

Henry Watson III
Henry Watson III