

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF THE FAILURE OF)
WOODLAND ACRES UTILITIES, LLC TO FILE) CASE NO. 2011-00349
REQUIRED REPORTS)

ORDER

On October 11, 2011, the Commission ordered Woodland Acres Utilities, LLC (“Woodland Acres”) to appear before us on October 27, 2011 and show cause why it should not be subject to a civil penalty for its alleged failure to comply with KRS 278.230(3). The Commission further ordered that, in lieu of appearing before us, Woodland Acres could waive its right to a hearing, pay a civil penalty of \$250.00, and file the required report.

Woodland Acres appeared before the Commission on October 27, 2011, represented by legal counsel. Counsel for Woodland Acres made an oral motion for an extension of time up to and including November 30, 2011, by which Woodland Acres could file the required reports. Counsel also waived the right to a hearing in the matter or to contest the assessment of a civil penalty for its failure to comply with KRS 278.230(3) and KRS 278.140. Counsel tendered payment of \$250.00 at the Show Cause Hearing.

On November 30, 2011, Woodland Acres filed an Amended Motion for Extension of Time to File Reports with the Commission (the “Motion”). The Motion states that Woodland Acres has only owned the Woodland Acres wastewater treatment plant (“WWTP”) since July 2, 2009. The Commission approved its Application for Transfer of

the Woodland Acres WWTP on September 1, 2010, subject to the requirement to file an Irrevocable Letter of Credit and Notice of Adoption and Journal Entry. These documents were filed with the Commission in the fall of 2011.

The Commission's Order of October 11, 2011 required that Woodland Acres file its annual sewer reports and sewer gross operating reports for the 2006, 2007, 2008, 2009, and 2010 calendar years. Woodland Acres' Motion requests the Commission's Order not require Woodland Acres to file reports for the time periods prior to its ownership of the Woodland Acres WWTP. The Motion also requests an extension of time to file the required reports up to and including December 31, 2011.

Having considered the motion and being otherwise sufficiently advised, the Commission HEREBY ORDERS that:

1. Woodland Acres' Amended Motion for Extension of Time to File Required Reports is granted.
2. Woodland Acres is granted an extension of time up to and including December 31, 2011, to file its required financial and statistical reports and gross operating reports for calendar year 2010.
3. Woodland Acres is required to file its annual sewer reports and sewer gross operating reports for the 2009 and 2010 calendar years only.
4. Woodland Acres is assessed a civil penalty of \$250.
5. Woodland Acres' failure to file the required reports and submit the required civil penalty within the time period specified by this Order will subject it to additional civil penalties.

By the Commission

ENTERED
DEC 21 2011
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2011-00349

Joe Murphy
Woodland Acres Utilities, LLC
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