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James W. Gardner
Vice Chairman

December 2, 2011

Brendon D. Miller, Esq.
Office of Breathitt County Attorney
1149 Main Street
Jackson, Kentucky 41339

Re: Case No. 2011-00421
Breathitt County Water District

Dear Mr. Miller:

Commission Staff has reviewed the application for a Certificate of Public Convenience and Necessity that Breathitt County Water District tendered in the above-referenced case and has determined that the fails to comply with 807 KAR 5:001, Section 9(2)(2). More specifically, the application does not contain plans and specifications for the proposed facilities and all related engineering reports. Accordingly, the application is rejected for filing.

Commission Staff respectfully requests that Breathitt County Water District file the required information within 15 days of the date of this letter. Please note that the statutory period in which the Commission must perform its review will not commence until the required information is filed. Please also note that KRS 322.340 requires the plans and specifications of any facility and any related engineering report be prepared, signed and dated by a professional engineer registered in Kentucky. If the water district has received bids on the proposed facilities, it should also file a copy of these bids to expedite the Commission's review.

Direct any questions regarding this letter to Gerald Wuetcher, Commission counsel, at (502) 564-3940, Extension 259.

Sincerely,

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

Jeff Derouen
Executive Director