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**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

EVERGREEN SEWAGE DISPOSAL, INC., NOTICE OF)
SURRENDER AND ABANDONMENT OF) Case No. 2016-_____
UTILITY PROPERTY CONSISTING OF A FRANKLIN)
COUNTY WASTEWATER TREATMENT PLANT)

**EVERGREEN SEWAGE DISPOSAL, INC., NOTICE OF SURRENDER
AND ABANDONMENT OF UTILITY PROPERTY**

Evergreen Sewage Disposal, Inc., (“Petitioner”) by Counsel gives Notice of its intention to surrender its wastewater treatment facility in Franklin County, Kentucky and in support of said Notice states as follows:

1) Petitioner, a Kentucky Corporation, is a “utility” which owns a facility for the treatment of sewage as defined in KRS 224.010(3)(f); its facility is a wastewater treatment plant (“WWTP”) located in Franklin County, Kentucky serving forty-two (42) residential customers in Franklin County.

2) Petitioner hereby notifies the Commission it intends to abandon the operation of its Franklin County WWTP.

3) In the event the Commission enters an Order finding the Franklin County WWTP has been abandoned as requested herein, the Petitioner anticipates the Commission will proceed under KRS 278.021(1) by bringing an action in the Franklin Circuit Court seeking the appointment of a Receiver.

4) The Petitioner anticipates the Franklin Circuit Court will appoint a Receiver who is an individual or entity residing or doing business in Franklin County; the Petitioner has notified the Farmdale Sanitation District in Franklin County of its intention to have the property declared to be abandoned by the Public Service Commission, and counsel for the Petitioner and

representatives of the Farmdale Sanitation District, and the Franklin County Fiscal Court have met to discuss the potential of the Sanitation District serving as Receiver.

WHEREFORE the Petitioner moves the Public Service Commission to enter an order which finds:

- a) The Commission has the legal basis to find the Petitioner has abandoned its wastewater treatment plant in Franklin County, Kentucky.
- b) The Commission finds the WWTP operated by the Petitioner in Franklin County, Kentucky is abandoned and Commission Staff is authorized and directed to file an action in the Franklin Circuit Court seeking an Order attaching the assets of the WWTP and placing those assets under the sole responsibility of a Receiver in accordance with KRS 278.021.

Respectfully Submitted,



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