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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

AUG 12 2016

PUBLIC SERVICE
COMMISSION

In the Matter of:

EVERGREEN SEWAGE DISPOSAL, INC.,)
NOTICE OF SURRENDER AND ABANDONMENT)) Case No. 2016- 290
OF 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 pursuant to KRS 278.021(2) of its intention to surrender its wastewater treatment facility in Franklin County, Kentucky and in support of said Notice states as follows:

1) Petitioner is a Kentucky Corporation in good standing, which was incorporated July 9, 1976; its mailing address is 4125 Lawrenceburg Road, Frankfort, Kentucky, 40601; its email address is pappawdailey@yahoo.com; it 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 utility.

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 have met to discuss the potential of the Sanitation District serving as Receiver.

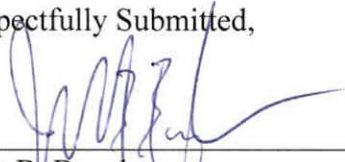
5) The undersigned certifies he has given written notice as required by KRS 278.020(11) by mailing an accurate copy hereof to the Kentucky Division of Water, the office of the Attorney General, the Franklin County Judge Executive, the Franklin County Health Department and the Franklin County Planning and Zoning Commission; the utility is not located in and does not provide service to the city of Frankfort.

6) Although the Commission's letter to Petitioner dated August 10, 2016, states the application requires verification by oath or affirmation, counsel for the Commission has notified the undersigned that requirement was made in error, and no verification is required.

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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