

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

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PUBLIC SERVICE
COMMISSION

In the Matter of:

EVERGREEN SEWAGE DISPOSAL, INC.,)
NOTICE OF SURRENDER AND ABANDONMENT) Case No. 2016-00290
OF UTILITY PROPERTY CONSISTING OF A FRANKLIN)
COUNTY WASTEWATER TREATMENT PLANT)

RESPONSE TO APPENDIX

Pursuant to the Commission’s Order filed on November 9, 2016, Evergreen Sewage Disposal, Inc., (“Evergreen”) submits the following supplemental information:

1. Refer to Evergreen’s response to the request for information contained in the Appendix to the Commission’s September 6, 2016 Order (“Commission’s First Request”), Item 8. The response states, in pertinent part, that the officers and directors of Evergreen “wont [*sic*] consider dismissing a rate increase with the Public Service Commission staff.” Please clarify what Evergreen means by this statement.

Answer: Evergreen’s response to Item 8 contained typographical errors. It was intended to read as follows... “the officers and directors of Evergreen want to abandon the WWTP and be released from the burden of operating it, but they will consider discussing a rate increase with the Public Service Commission staff.”

2. Provide a copy of the written notices required by KRS 278.020(11) which were sent 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.

Answer: A copy of the written notice will be submitted subsequently.

3. Refer to Evergreen's response to the Commission First Request, Item 12. The response states that no party contacted by Evergreen was interested in purchasing the utility. Has Evergreen offered to transfer the utility system for nominal consideration to any individual identified in Evergreen's response to Item 12? If Evergreen has not offered to transfer the utility system for nominal consideration, state why.

Answer: Yes, Evergreen's President and Counsel have engaged in detailed discussions with the Farmdale Sanitation District Chairman, and Franklin County officials in the hope of transferring the utility to the sanitation district for nominal consideration. Those negotiations are ongoing.

4. Provide the following information for the current shareholder(s) of Evergreen.

a. The name and address of each shareholder of Evergreen;

Answer: The names and addresses of each shareholder of Evergreen are attached as Exhibit A.

b. The number of shares of stock currently owned by each shareholder and the corresponding percentage of ownership;

Answer: The number of shares of stock currently owned by a shareholder is unknown.

c. The date(s) the shareholder acquired ownership of his/her shares of stock;

Answer: The date the shareholders acquired ownership of his or her shares of stock is unknown.

d. Whether the shareholder currently serves as a Director of Evergreen; and

Answer: Shareholders who currently serve as directors are Michael Dailey, James Jones, David Slusher, and Paula Conway.

e. Whether the shareholder voted to approve the proposed abandonment. If the shareholder was not entitled to vote on the proposed abandonment, state the reason(s) why the shareholder was not entitled to vote.

Answer: The shareholders voted to approve the proposed abandonment.

5. Per the *Annual Report of Evergreen Sewage Disposal System to the Public Service Commission for the Year Ended December 31, 2013* (“2013 Annual Report”) at page 11 of 44, the only principal officer for Evergreen is identified as Michael Dailey, President/Treasurer. Per the *Annual Report of Evergreen Sewage Disposal System to the Public Service Commission for the Year Ended December 31, 2012* (“2012 Annual Report”) at page 11 of 44, the only principal officer for Evergreen is identified as Earline Stone, President/Treasurer. Explain whether there was a change in control of Evergreen in 2012 or 2013.

Answer: Earline Stone sold her property which was served by Evergreen and WWTP resigned as President/Treasurer. Mike Daily was duly elected President/Treasurer, thereafter.

6. State the name and title of each witness that Evergreen intends to call at the January 11, 2017 hearing. If Evergreen does not intend to call individual(s) who prepared or supervised the preparation of Evergreen’s response to request for information, state why the individual(s) will not be called as witness.

Answer: Mike Daily President/Treasurer.

Respectfully Submitted,

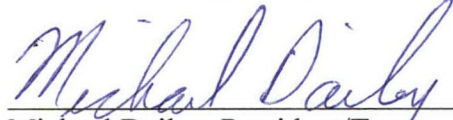


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Counsel for Evergreen Sewage Disposal, Inc.

VERIFICATION

On behalf of Evergreen Sewage Disposal, Inc., I have read the above answers and believe then to be true and accurate.

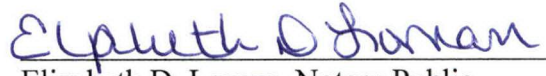
Evergreen Sewage Disposal, Inc.



Michael Dailey, President/Treasure

Commonwealth of Kentucky)
)Ss.
County of Franklin)

Subscribed, sworn to and acknowledged before me this 22nd day of November, 2016, by Michael Dailey as President/Treasure, Evergreen Sewage Disposal, Inc.



Elizabeth D. Loman, Notary Public
Commonwealth of Kentucky, State at Large
My Commission expires: August 6, 2019
Notary ID: 539406

Exhibit A

STOCKHOLDERS OF EVERGREEN SEWAGE DISPOSAL
SYSTEM, INC.

William Applegarth
Route 8, Box 34
Evergreen Road
Frankfort, Ky. 40601

↳ Earline Poole Stone
Route 2
Evergreen Road
Frankfort, Ky. 40601

✓ Homer Barnard
Route 7, Box 161
Lawrenceburg Road
Frankfort, Ky. 40601

Don Redmon
Route 8
Evergreen Road
Frankfort, Ky. 40601

James Brawner
Route 7
Lawrenceburg Road
Frankfort, Ky. 40601

Patricia Stewart
c/o James Stewart
Route 5, Devils Hollow Road
Frankfort, Ky. 40601

William D. Clark
Route 7, Box 130
Lawrenceburg Road
Frankfort, Ky. 40601

Ann Stinnett
Route 7
Lawrenceburg Road
Frankfort, Ky. 40601

M. W. Copeland
Post Office Box 130
Frankfort, Ky. 40602

Jane Stivers Rice
Alfa Drive
Frankfort, Ky. 40601

holding

↳ Gayle Dailey
Route 7
Lawrenceburg Road
Frankfort, Ky. 40601

Marvin E. Terry
Route 7, Box 162
Lawrenceburg Road
Frankfort, Ky. 40601 *Ph. 223-1143*
purchased from
Honda Peggy
Stevens

James Jones
Route 7
Lawrenceburg Road
Frankfort, Ky. 40601

✓ Clifford Toles
Route 8
Evergreen Road
Frankfort, Ky. 40601

James Oberst
Route 7, Box 132
Lawrenceburg Road
Frankfort, Ky. 40601

*David Fincher (purchased from Bob Case)
Rt. 8
Evergreen Rd.*

Ronald McMaine
1371 Beulah Park
Lexington, Ky. 40502

*Donald A Dawson II
144 Rolling Acres
Frankfort, Ky. 40601*

*Paula Conway
48 Lawrence St.
Frankfort Ky
40601*

Ray Peach
c/o Stewart Home School
Route 7
Lawrenceburg Road
Frankfort, Ky. 40601

*David Stusku
3955 Lawrenceburg Rd
Frankfort Ky 40601*