Steven L. Beshear Governor

Leonard K. Peters Secretary Energy and Environment Cabinet



Commonwealth of Kentucky

Public Service Commission
211 Sower Blvd.
P.O. Box 615

Frankfort, Kentucky 40602-0615

Telephone: (502) 564-3940
Fax: (502) 564-3460

psc.ky.gov

David L. Armstrong Chairman

James W. Gardner Vice Chairman

> Linda Breathitt Commissioner

February 19, 2014

Mr. William A. Artis Marshall County Environmental Services LLC P.O. Box 431 Benton, KY 42025

RE: PSC Case No. 2012-00436

Dear Mr. Artis:

Case No. 2012-00436, JOINT APPLICATION OF PURCHASE PUBLIC SERVICE CORPORATION AND MARSHALL COUNTY ENVIRONMENTAL SERVICES, LLC TO APPROVE THE TRANSFER OF OWNERSHIP AND CONTROL OF THE GOLDEN ACRES SUBDIVISION AND GREAT OAKS SUBDIVISION was closed November 19, 2012. The ordering paragraph of the final order states the following:

Within 60 days of the date of this Order, Environmental Services shall obtain and file with the Commission an irrevocable letter of credit in the amount of \$10,000 with a minimum term of 10 years and payable the receiver appointed by Franklin Circuit Court in the event that the Commission finds that Environmental Services has abandoned the sewage treatment and collection facilities serving the Golden Acres and Great Oaks Subdivisions and brings an action pursuant to KRS 278.021 for the appointment of such receiver.

January 22, 2013, MCES notified the Commission that C-Plant Federal Credit Union, the issuer of the Letter of Credit, could only issue the letter of credit for a term of one year.

February 12, 2013, the Commission issued an order and amended the ordering paragraph to read as follows:



Within 60 days of the date of this Order, Environmental Services shall obtain and file with the Commission an irrevocable letter of credit in the amount of\$10,000 with a minimum term of 1 year and payable to the receiver appointed by Franklin Circuit Court in the event that the Commission finds that Environmental Services has abandoned the sewage treatment and collection facilities serving the Golden Acres and Great Oaks Subdivisions and brings an action pursuant to KRS 278.021 for the appointment of such receiver.

So long as Environmental Services owns sewage treatment and collection facilities serving the Golden Acres and Great Oaks Subdivisions it shall obtain and continue to hold an irrevocable letter of credit that meets the requirements of ordering paragraph 1 (b) of the Commission's Order of November 19, 2012, as amended. Within 10 days of the expiration of an existing irrevocable letter of credit, Environmental Services shall file with the Commission a copy of its replacement letter of credit.

The copy of the letter of credit which you filed with the Commission was issued January 18, 2013. This letter is a reminder that you need to file with the Commission a copy of its replacement.

Sincerely,

Linda Faulkner Filings Director

