

AGREEMENT

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AUG 22 1994

PUBLIC SERVICE COMMISSION

THIS AGREEMENT made and entered into by and between the City of Livermore and the North McLean County Water District on this 23 day of June, 1989;

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AUG 23 1994

WITNESS: THAT WHEREAS, the City of Livermore and the North McLean County Water District entered into a Contract dated March 6, 1969, whereby the City agreed to sell water to the District upon the terms and conditions stated therein; and

P.S.C. RATES & RESEARCH DIV.

WHEREAS, said Contract was modified in certain respects by the Trial Order and Judgments entered in the suit styled, "Amber Henton et al. vs. The North McLean County Water District", being Civil Action 78-CI-073, in the McLean Circuit Court, Calhoun, Kentucky; and

WHEREAS, the parties hereto desire to further modify said Contract upon the terms and conditions stated herein;

NOW, THEREFORE, for and in consideration of the mutual promises and undertakings set forth herein, the receipt and sufficiency of which is hereby acknowledged, the parties do hereby agree to modify said Contract as follows:

1. The North McLean County Water District shall pay unto the City of Livermore the sum of \$1.50 for each one thousand (1,000) gallons of water sold by the City to the District up to 3,200,000 gallons per month and the sum of \$1.60 for each one thousand (1,000) gallons of water in excess of 3,200,000 gallons per month.

PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE

SEP 02 1994

PURSUANT TO 807 KAR 5.011, SECTION 9(1)

BY: Jordan C. Noel FOR THE PUBLIC SERVICE COMMISSION

2. In addition to the rate adjustments permitted under the terms of the March 6, 1969 Contract as amended by the Trial Order and Judgments, the City shall have the right to adjust the rates charged to the District from time to time to enable the City to recover the additional direct costs and operating expenses incurred by the City to supply sufficient water to meet the demands of the District. The City shall furnish to the District an itemized statement setting forth the various cost components in support of the rate adjustment.

3. All other provisions of the Contract as amended by the Court not inconsistent herewith are ratified and reaffirmed.

4. This Amendment shall be effective on the 1st day of July, 1989.

CITY OF LIVERMORE

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

By: Amber Henton
Amber Henton, Mayor

SEP 02 1994

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

NORTH MCLEAN COUNTY WATER
DISTRICT

BY: Jordan C. Neel
FOR THE PUBLIC SERVICE COMMISSION

By: Jessie Abney
Commissioner

By: Gene Hudson
Commissioner

By: Carol B. Troutman
Commissioner

Nathel Jennings