

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

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PUBLIC SERVICE  
COMMISSION

In the Matter of:

Application of Mallard Point Disposal Systems, Inc.    )  
for an Adjustment of Rates Pursuant to the            )  
Alternative Rate Filing Procedure for Small Utilities    )    Case No. 2005-00235

**WRITTEN COMMENTS BY THE PETITIONER TO THE COMMENTS  
OF THE APPLICANT, MALLARD POINT DISPOSAL SYSTEMS, INC.**

Comes now the Petitioner, Robert A. Patrick, and submits written comments to the Public Service Commission in response to the written comments submitted by the Applicant dated October 17, 2005.

**A. Amortization of the Applicant's Legal Expenses**

The Applicant suggests on page 4 of its comments that, for purposes of amortizing the Applicant's legal expenses, current expenses should not be shared between the Applicant and the ratepayers. The Applicant reasons that the Order in Case No. 2003-00284 is not in effect with respect to this application and, therefore, the entire expense should be amortized.

The Petitioner respectfully suggests that the rationale for sharing legal expenses between the Applicant and the ratepayers is as appropriate in this case as it was in the preceding case and that the practice of sharing these expenses between the Applicant and the ratepayers should be continued.

## B. Quarterly Financial Reports

The Commission's Order in Case No. 2003-00284 required the Applicant to file with the Commission quarterly financial reports together with supporting data. The Petitioner requests that the Commission continue this requirement, or some comparable monitoring process, in its Order issued in connection with the current application.

Periodic filing is appropriate to enable the Commission staff to monitor expenses and determine that the Applicant is not commingling personal expenses of the owner with those of the utility. In addition, if ratepayers are to have no opportunity to conduct discovery in connection with future applications for rate adjustments, periodic filings by the utility will provide the only factual basis, albeit limited, available to the ratepayers upon which to gauge the contentions of the Applicant.

Respectfully submitted,



Robert A. Patrick

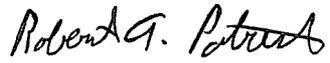
### CERTIFICATE OF SERVICE

I hereby certify that that a true and correct copy of these comments have been mailed,  
postage prepaid to:

Kentucky Public Service Commission  
P.O. Box 615  
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(Original and 10 copies)

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Date