

LAW OFFICES

FRANCIS, KENDRICK AND FRANCIS

SUITE 504
FIRST COMMONWEALTH BANK BUILDING
311 NORTH ARNOLD AVENUE
P. O. Box 268

PRESTONSBURG, KENTUCKY 41653-0268
TELEPHONE 606-886-2812 TELECOPIER 606-886-8833

WILLIAM G. FRANCIS
e-mail: bfrancis@kih.net

WILLIAM S. KENDRICK
e-mail: wkendrick@kih.net

FRED G. FRANCIS
1916-2003

April 19, 2007

Mr. Jerry Wuetcher
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615

RE: Case No. 2006-00569


Dear Mr. Wuetcher:

Please file the attached Sworn Stipulation in the above matter.

If you have any questions, please do not hesitate to contact us.

Sincerely,

FRANCIS, KENDRICK & FRANCIS


William S. Kendrick

WSK/tbf

Enclosure

cc: Hon. John West

RECEIVED

APR 23 2007

**PUBLIC SERVICE
COMMISSION**

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION
CASE NOS. 2006-00569

IN RE: AN INVESTIGATION INTO THE CONDITION AND
MANAGEMENT OF APPALACHIAN WASTE
CONTROL, INC.

SWORN STIPULATION

Comes now the affiant, Gary Keith Fairchild, individually and as registered agent, incorporator, sole shareholder and director of Appalachian Waste Control, Inc., and hereby stipulates to the following:

1) I am the registered agent, incorporator, sole shareholder and director of Appalachian Waste Control, Inc. ("AWC"), a Kentucky corporation, which was administratively dissolved by the Kentucky Secretary of State effective November 3, 1998. I am authorized to act on behalf of AWC with regard to the matters set forth herein.

2) AWC is the owner of five waste water treatment plants in Johnson County, Kentucky, being: the Burkeshire Development Subdivision plant; the Neal Price Subdivision plant; the Paradise [Village] Valley plant; the Preston Estates Subdivision plant; and the Richmond Hills Subdivision plant (the "Treatment Facilities"). It acquired ownership of these Treatment Facilities between 1989 and 1993.

3) On or about September 26, 2002, AWC transferred ownership and control of Treatment Facilities to Lance Bowling, a citizen of Johnson County, Kentucky.

4) This transfer was accomplished without prior consent and approval of the Kentucky Public Service Commission (the "Commission").

5) On information and belief, since September 26, 2002, Lance Bowling has operated the Treatment Facilities as an individual, but in the name of East Kentucky Waste Control.

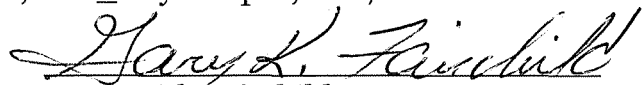
6) On January 30, 2007, the Commission entered an Order in Commission Case No. 2002-00396 finding the transfer of the Treatment Facilities from A WC to Lance Bowling to be void by operation of law under KRS 278.020(5).

7) Subsequent to the transfer, neither I nor AWC has maintained or operated the Treatment Facilities.

8) Although AWC remains the owner of the Treatment Facilities, AWC has abandoned same.

9) Any interest that I may have individually, whether as registered agent, incorporator, sole shareholder or director, in the Treatment Facilities owned by AWC has been abandoned by me.

Acknowledged, subscribed and sworn to by the affiant, Gary Keith Fairchild, as true based upon my personal knowledge and belief, this _ day of April, 2007.


Gary Keith Fairchild

COUNTY OF JOHNSON
COMMONWEALTH OF KENTUCKY

Acknowledged, subscribed and sworn to by the affiant, Gary Keith Fairchild, before me, the Notary Public, on this the 19 day of April, 2007.


NOTARY PUBLIC
MY COMMISSION EXPIRES: 5-16-2009