

Ernie Fletcher  
Governor

Teresa J. Hill, Secretary  
Environmental and Public  
Protection Cabinet

Timothy J. LeDonne  
Commissioner  
Department of Public Protection

William G. Higdon  
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Southeast Daviess County Water District  
3400 Bittel Road  
Owensboro, KY 42301



Commonwealth of Kentucky  
**Public Service Commission**  
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Mark David Goss  
Chairman

John W. Clay  
Vice Chairman

Caroline Pitt Clark  
Commissioner

September 7, 2007

RE: Case No. 2007-00352

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell  
Executive Director

BOD/dw  
Enclosure

Ernie Fletcher  
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Environmental and Public  
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Timothy J. LeDonne  
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Mr. Joseph Elliott  
Southeast Daviess County Water District  
3400 Bittel Road  
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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SOUTHEAST DAVIESS	)	
COUNTY WATER DISTRICT FOR A RATE	)	
SURCHARGE AND FOR A CERTIFICATE	)	CASE NO. 2007-00352
OF PUBLIC CONVENIENCE AND	)	
NECESSITY	)	

ORDER

Southeast Daviess County Water District (“Southeast Daviess”) has applied to the Commission for approval of a rate surcharge and for approval of a Certificate of Public Convenience and Necessity to construct an elevated water storage tank, trunk line and appurtenances. Southeast Daviess was notified on August 2, 2007 that its filing was deficient and required compliance with certain requirements of Administrative Regulation 807 KAR 5:001 in order that the application could be deemed administratively complete. Southeast Daviess has submitted its response to that notification and has requested permission to deviate from the filing requirements of Section 6 of the above regulation.

Administrative Regulation 807 KAR 5:001, Section 6, requires the submission of a detailed financial exhibit for the period ending not more than 90 days prior to the date of the application. In support of its request for permission to deviate from this requirement, Southeast Daviess states that its most recent financial exhibits are for the 12 months ended December 31, 2006 and that those exhibits are contained in its 2006 Annual Report on file with the Commission. Southeast Daviess further states that this is

the most recent financial data available and that no extraordinary circumstances have occurred that would distort the year-end statement.

Administrative Regulation 807 KAR 5:001, Section 14, provides the Commission with the authority to permit deviations from its regulations for good cause shown. Having reviewed the filing and being otherwise sufficiently advised, the Commission finds that the requested deviation is reasonable and should be granted. The Commission further finds that Southeast Daviess's August 30, 2007 filing and its request for deviation satisfy the minimum filing requirements and its application should be deemed administratively complete as of August 30, 2007.

IT IS THEREFORE ORDERED that:

1. Southeast Daviess's request for permission to deviate from the filing requirements of Administrative Regulation 807 KAR 5:001, Section 6, is granted.
2. Southeast Daviess's application is accepted for filing as of August 30, 2007.

Done at Frankfort, Kentucky, this 7<sup>th</sup> day of September, 2007.

By the Commission

ATTEST:

  
Executive Director