

# Berger, Cox & Nienaber

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March 3, 2009

Public Service Commission  
Attn: Mr. Ryan Gatewood  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, Kentucky 40602-0615

RECEIVED  
MAR 5 2009  
PUBLIC SERVICE  
COMMISSION

Re: Bullock Pen Water District  
Case No. 2008-00170

Dear Mr. Gatewood:

Enclosed please find my Application for an expedited ruling on the District's request for a Certificate of Convenience and Public Necessity.

If you have any questions, please do not hesitate to call

Very truly yours,

BERGER, COX & NIENABER



Thomas R. Nienaber

TRN/css  
Enclosure

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED  
MAR 05 2009  
PUBLIC SERVICE  
COMMISSION

In the matter of:

THE APPLICATION OF BULLOCK PEN WATER )  
DISTRICT FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO CONSTRUCT ) Case No. 2008-00170  
PROPOSED WATERWORKS IMPROVEMENT )  
PROJECT AND FOR APPROVAL OF PROPOSED )  
PLAN OF FINANCING, INCREASE IN RATES, )  
NONRECURRING CHARGES, AND TARIFF )  
REVISIONS )

REQUEST FOR EXPEDITED REVIEW OF APPLICATION FOR  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Comes now Bullock Pen Water District ("District"), through counsel, and respectfully requests the Public Service Commission ("Commission") to bifurcate and expedite its review of the District's Application for a Certificate of Public Convenience and Necessity.

GROUNDS

On February 24, 2009, the Commission determined that the District's Application for a Certificate of Convenience and Public Necessity and Rate Increase met the minimum filing requirements. The Application filed by the District had two separate and distinct elements:

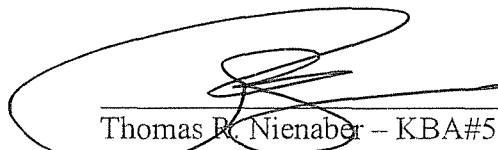
(1) A request for approval of a Certificate of Convenience and Public Necessity for its Phase VI Water Line Expansion Project; and

(2) An increase in the District's rates for customer water service. While these two separate elements of the District's Application are dependent upon the other in some regard, it is imperative to the District that the Phase VI Water Line Expansion Project move forward as quickly as possible. The District has received contract proposals from various contractors. The District awarded the Phase VI Water Line Extension Project to the apparent low bidding

contractor contingent upon the District's receipt of approval from the Commission of a Certificate of Convenience and Public Necessity. That contract proposal submitted by the apparent low bidder expires on April 15, 2009. The District would request the Commission to act upon its Application for a Certificate of Convenience and Public Necessity in order for the District to take advantage of the favorable contract proposal submitted by the apparent low bidder and to move this Water Line Expansion Project forward. If the District were permitted to move forward on its Phase VI Water Line Expansion Project at this time, maximum advantage could be taken of the 2009 construction season. This would enable the District to bring water service to its proposed Phase VI customers in a timely and more efficient manner. The District understands and appreciates that a rate increase aspect of its Application could take several months. To delay the issuance of a Certificate of Convenience and Public Necessity would unreasonably delay the implementation of its Phase VI Extension Line Project and perhaps create additional cost and expense to the District and its customers.

Respectfully submitted,


BERGER, COX & NIENABER, PSC



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Covington, KY 41011  
(859) 491-9088

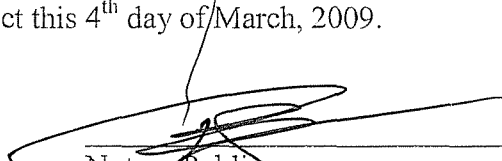
BULLOCK PEN WATER DISTRICT

BY:   
BOBBY BURGESS, CHAIRMAN

COMMONWEALTH OF KENTUCKY

COUNTY OF GRANT

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by the said Bobby Burgess, Chairman, Bullock Pen Water District this 4<sup>th</sup> day of March, 2009.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 3/27/12

CERTIFICATE OF SERVICE


I, Thomas R. Nienaber, do hereby certify that a copy of the foregoing was mailed by regular U.S. Mail, postage prepaid, this 4<sup>th</sup> day of March, 2009 to:

Public Service Commission  
Attn: Mr. Jeff Derouen, Executive Director  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, Kentucky 40602-0615

Public Service Commission  
Attn: Mr. Ryan Gatewood  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, Kentucky 40602-0615

Public Service Commission  
Attn: Mr. David R. McDowell  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, Kentucky 40602-0615

Kentucky Attorney General  
700 Capitol Avenue, Suite 118  
Frankfort, KY 40601

  
\_\_\_\_\_  
Thomas R. Nienaber