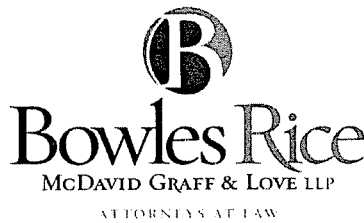


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September 22, 2008

Bernard F. Lovely
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SEP 23 2008
PUBLIC SERVICE
COMMISSION

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

Re: Delaplain Disposal Company
Via Facsimile and U.S. Mail 502.564.3460

Dear Mr. Wuetcher:

Please accept this letter as Delaplain Disposal Company's waiver of formal hearing on the Show Cause Order issued on September 11, 2008. Delaplain agrees to entry of the Order of Rate Change pursuant to the Agreed Order. As we discussed, Delaplain would ask that the rate change be effective the first day of a month and that it permit Delaplain to notify its customers of the change by Notice put in the invoice on said effective date.

If I need to do more to waive the hearing, please advise.

Very truly yours,

Bernard F. Lovely

BFL/bfl
Enclosure