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November 18, 2009

Honorable John N. Hughes
124 West Todd Street
Frankfort, KY 40601

RE: Case No 2009-00422
Filing Deficiencies

The Commission staff has conducted a further review of your application in the above case and determined that the filing requirements for a balance sheet under 807 KAR 5:001 Section 6 (9) is satisfied by the balance sheet included in exhibit F to the application; and the filing requirements for the rate, amount of dividends and capital stock under 807 KAR 5:001 section 6 (8) is inapplicable here since Black Mountain is a non-stock utility. All of the other deficiencies noted in the November 10, 2009 letter still need to be cured for your application to be accepted for filing.

1. Filing Deficiencies pursuant to 807 KAR 5:001:

807 KAR 5:001: Section 6(4) Mortgages: Amount of Indebtedness Secured

807 KAR 5:001: Section 6(4) Mortgages: Date of Execution

807 KAR 5:001: Section 6(4) Mortgages: Name of Mortgagee or Trustee

807 KAR 5:001: Section 6(4) Mortgages: Name of Mortgagor

807 KAR 5:001: Section 6(4) Mortgages: Sinking Fund Provisions

807 KAR 5:001: Section 6(5) Bonds: Amount Authorized

807 KAR 5:001: Section 6(5) Bonds: Amount Issued

807 KAR 5:001: Section 6(5) Bonds: Date of Issue

807 KAR 5:001: Section 6(5) Bonds: Date of Maturity

807 KAR 5:001: Section 6(5) Bonds: Description of Each Class Issued

807 KAR 5:001: Section 6(5) Bonds: How Secured

807 KAR 5:001: Section 6(5) Bonds: Interest Paid in Last Fiscal Year

807 KAR 5:001: Section 6(5) Bonds: Name of Utility Who Issued

807 KAR 5:001: Section 6(6) Notes Outstanding: Amount

807 KAR 5:001: Section 6(6) Notes Outstanding: Date of Issue

807 KAR 5:001: Section 6(6) Notes Outstanding: In Whose Favor
807 KAR 5:001: Section 6(6) Notes Outstanding: Interest Paid in Last Fiscal Yr.
807 KAR 5001: Section 6(6) Notes Outstanding: Maturity Date
807 KAR 5:001: Section 6(6) Notes Outstanding: Rate of Interest
807 KAR 5:001: Section 6(7) Other Indebtedness: Description of Any Assumption of Indebtedness by Outside Party (i.e., any transfer)
807 KAR 5:001: Section 6(7) Other Indebtedness: Description of Each Class
807 KAR 5:001: Section 6(7) Other Indebtedness: How Secured
807 KAR 5001: Section 6(7) Other Indebtedness: Interest Paid in Last Fiscal Yr.
807 KAR 5:001: Section 6 (9) Detailed Income Statement

The statutory time period in which the Commission must process this case will not commence until the above-mentioned information is filed with the Commission. If your filing contains a proposed effective date, the rejection of your filing for reasons of deficiencies voids that proposed effective date. When you file the required information to correct the deficiencies, you may refile your proposed tariff with a new proposed effective date that is at least 30 days from the date you file the required information. You are requested to file 10 copies of this information within 15 days of date of this letter. If you need further assistance, please contact my staff at 502-564-3940.

Sincerely,



Jeff Derouen
Executive Director

JD/tw