

RECEIVED

JAN 20 2017

PUBLIC SERVICE
COMMISSION

421 West Main Street
Frankfort, KY 40601
(502) 223-3477
(502) 223-4124 FAX

Robert C. Moore
(502) 209-1218
(502) 779-8214 FAX
rmoore@stites.com

January 20, 2017

VIA HAND DELIVERY

Ms. Talina Mathews
Executive Director
Kentucky Public Service Commission
P.O. Box 615
Frankfort, Kentucky 40602

RE: Airview Utilities LLC's Notice of Surrender and Abandonment of Utility
Property
PSC Case No. 2016-00207

Dear Ms. Mathews:

Airview Utilities, LLC ("Airview") filed its Notice of Surrender and Abandonment ("Notice") with respect to its wastewater treatment plant ("WWTP") with the Public Service Commission ("Commission") on June 16, 2016. The Commission acknowledged receipt of the filing on June 16, 2016, and the filing was accepted on July 7, 2016. After considering this action for a substantial time-period, Airview filed this Notice because it is unable to meet its financial obligations to its vendors, suppliers and service entities. The Notice stated that the Airview WWTP is over forty (40) years old, in need of significant upgrades, and due to the cost of these upgrades, it appears economically prudent to dismantle the Airview WWTP and connect it to an existing sanitary sewer system instead of requiring Airview's ratepayers to bear the cost of these upgrades. The Notice further stated that Airview has suffered significant difficulty in obtaining payment for its services, and this difficulty has contributed substantially to Airview's inability to pay for the needed upgrades to the Airview WWTP.

Discovery was taken in this case by both Commission Staff and the Attorney General's Office prior to the formal hearing, which was held on October 12, 2016. The last discovery requests served in this case, Commission Staff's Second Requests for Information to Airview, were served on November 15, 2016, and the Answers to these discovery requests were filed with the Commission on November 30, 2016.

The Commission's Order of July 29, 2016, stated, "Airview shall continue to operate its utility facilities during the pendency of this investigation and shall continue operating until the Commission issues an Order adjudicating Airview's request to abandon its facilities." Pursuant to this Order, Airview has continued to operate the WWTP, despite the economic hardship this has caused. Unfortunately, due to the pendency of this proceeding, a large percentage of Airview's customers are no longer paying their monthly sewer fee, exacerbating Airview's already failing economic condition.

January 20, 2017

Page 2

Due to Airview's worsening financial condition, I am writing to ask if there is an anticipated date by which the Commission will issue its ruling in this matter. Thank you for your attention to this important matter.

Respectfully,



Robert C. Moore

RCM/pjt

cc: Airview Utilities, LLC – via electronic mail
Hon. Angela M. Goad – via electronic mail

EC69:46570:27342:1:FRANKFORT