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February 20, 2014

Mr. Ray Metcalfe  
Black Mountain Utility District  
609 Four Mile Road  
Baxter, KY 40806

RE: PSC Case No. 2012-00095  
PSC Case No. 2013-00439

Dear Mr. Metcalfe:

On July 13, 2012, the Commission issued a final order in Case No. 2012-00095<sup>1</sup> approving the merger of Black Mountain Utility District and Green Hills Water District. The merged entity was to be named "Black Mountain Utility District." Ordering Paragraph 5 of the final order in Case No. 2012-00095 states, in full, as follows:

Within 10 days of the filing of its adoption notice, the merged water district shall issue and file with the Commission in its own name each utility's tariff as it proposes to put into effect in lieu thereof in the form prescribed in 807 KAR 5:011, Section 11.

According to your status update filing on December 21, 2012, the merger of Black Mountain Utility District and Green Hills Water District was effective December 1, 2012. Subsequently, on April 10, 2013, Black Mountain Utility District filed a notice of adoption. Pursuant to Ordering Paragraph 5 of the final order in Case No. 2012-00095, Black Mountain Utility District's tariff, reflecting the merged entity's rates and service, was required to be filed by April 20, 2013. Commission Staff has assisted Black Mountain Utility District in developing its tariff. A draft version of a new tariff for Black Mountain Utility District that includes Green Hills' information was forwarded to you by the Commission's Tariffs Branch on October 18, 2013 asking you to review for

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<sup>1</sup> Case No. 2012-00095, Application of Black Mountain Utility District and Green Hills Water District for Merger Pursuant to KRS 74.363 (Ky. PSC July 13, 2012).

mistakes and corrections so that a final version could be sent to you for execution. Commission Staff has made several unsuccessful attempts to obtain this information. To date, Black Mountain Utility District has not submitted the appropriate tariffs required pursuant to Ordering Paragraph 5 of the final order in Case No. 2012-00095.

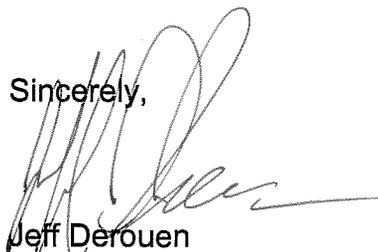
On January 7, 2014, a final order was issued in Case No. 2013-00439<sup>2</sup> in which the Commission approved Black Mountain Utility District's request to adjust its purchase water adjustment rates. Ordering Paragraph 4 to the final order in that case states, in full, as follows:

Within 20 days of the date of this Order, Black Mountain shall file with the Commission, using the Commission's electronic Tariff Filing System, revised tariff sheets showing the approved rates, with an effective date of December 1, 2013.

To date, Black Mountain Water District has not submitted the revised tariff sheets as required under Paragraph 4 to the final order in Case No. 2013-00439.

Black Mountain Water District is requested to provide the tariffs that were required to be filed pursuant to Ordering Paragraph 5 of the final order in Case No. 2012-00095 and Ordering Paragraph 4 of the final order in Case No. 2013-00439 within 15 days from the date of this letter. Failure to do so will result in the Commission instituting a proceeding against Black Mountain Utility District, pursuant to KRS 278.990, to show cause why Black Mountain Utility District should not be assessed a penalty for failure to obey any order of the Commission. If you have any questions, call Linda Faulkner at 502-564-3940.

Sincerely,



Jeff Derouen  
Executive Director

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<sup>2</sup> Case No. 2013-00439, Purchased Water Adjustment Filing of Black Mountain Water Utility District (Ky. PSC Jan. 7, 2014).