



COMMONWEALTH OF KENTUCKY  
OFFICE OF THE ATTORNEY GENERAL

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COMMISSION

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Dr. Talina R. Mathews, Executive Director  
Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40601

**In Re: Mediation from Case No. 2015-00306, Application of Bush Gardens Enterprises, LLC for Approval of Initial Sewer Rates Pursuant to the Alternative Rate Filing Procedures for Small Utilities and Tariff**

Dear Dr. Mathews:

The Attorney General's Office, Bush Gardens Enterprises, LLC ("Bush Gardens"), and Bush Gardens' ratepayers ("ratepayers") attended a mediation at the Commission on February 8, 2017. The ratepayers, and David and Linda Bowling, in both her personal capacity and as the President and CEO of Bush Gardens, agreed to have preliminary assessments performed on their respective properties. The preliminary assessments were to determine the feasibility of independent septic systems on the ratepayers' lots, and to determine whether the vacant property owned by both David and Linda Bowling and Bush Gardens could support a community drain field.

After the mediation, Attorney Aaron Davis, counsel for Bush Gardens and the Bowlings, contacted the Attorney General's Office. Attorney Davis stated that his clients had changed their position, and would be agreeable to performing only a preliminary assessment on their vacant property in order to determine if a community drain field was possible. A Permission and Mutual Indemnity Agreement was executed in order to conduct the preliminary assessment. On February 21, 2017, the following individuals attended the preliminary assessment of the Bowlings' and Bush Gardens' properties:

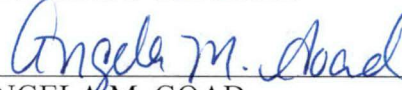
David Bowling, Co-Owner of property  
Lance Bowling, Son of David Bowling  
Roger Recktenwald, Kentucky Association of Counties  
David Sellards, Environmentalist for Johnson County Health Department  
Derek Motsch, Professional Engineer  
Willard Burton, Johnson County Floodplain Coordinator

The parties are still awaiting the completion of the preliminary assessment, and will provide another status update to the Commission once the results are finalized. Attorney Davis has reviewed this status update on behalf of his clients and agrees with the information provided herein.

Should you have any questions, please feel free to contact me at your convenience.

Respectfully submitted,

ANDY BESHEAR  
ATTORNEY GENERAL



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