

COMMONWEALTH OF KENTUCKY
BEFORE THE UTILITY REGULATORY COMMISSION

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In the Matter of:

NOTICE OF WOODLAWN, OAKDALE AND HUSBANDS)
ROAD WATER DISTRICT PURSUANT TO KRS)
278.180, 278.190 AND RELATED STATUTES)
AND 807 KAR 1:010, SECTIONS 5 THROUGH)
8, AND RELATED SECTIONS, THAT THE) CASE NO. 7382
DISTRICT PROPOSES TO PUBLISH AN)
EFFECTIVE TARIFF WHICH INCREASES)
THE SEWER RATE TO ITS CUSTOMERS)
IN ITS CERTIFICATED SERVICE AREA)

ORDER

This Order is entered in response to the "Petition for Rehearing" filed February 11, 1980 by the Utility (Woodlawn, Oakdale and Husbands Road Water District) and the April 8, 1980 hearing at which additional evidence and testimony were presented by the utility in support of its position that to comply with this Commission's order to refund all overcollections since 1975 would place the utility in severe financial straits. Representatives of the water district testified that even with the latest rate increase granted by this Commission in its January 25, 1980 order, the utility will still be operating with a deficit of over \$6,000 annually. To now require compliance with the 5-year refund ordered by the Commission, the utility contends, would require additional financing for the district.

Based on all of the above, the Commission hereby finds that to require the water district to refund for the full five (5) year period could jeopardize the financial integrity of this utility, which would not be in the public interest of the district's customers. The Commission will, accordingly, modify paragraph three of

its January 25, 1980 order so as to require a refund of over-collections only for the period January 25, 1979 to January 24, 1980.

IT IS HEREBY ORDERED that paragraph three (3) of the Commission's January 25, 1980 order in this matter is hereby amended to read as follows:

IT IS FURTHER ORDERED that Woodlawn, Oakdale, and Husbands Road Water District shall refund to its customers all monies collected during the period January 25, 1979 through January 24, 1980 which exceeded the amounts that would have been collected on the basis of rates approved by Order in Case Number 5948.

IT IS FURTHER ORDERED that all other provisions of the Commission's January 25, 1980 order in this matter shall remain unchanged.

Done at Frankfort, Kentucky, this 18th day of December, 1980.

UTILITY REGULATORY COMMISSION

Did not participate
Chairman

Johns. Rayman
Vice Chairman

Mary Ray Baker
Commissioner

ATTEST:

Secretary