

COMMONWEALTH OF KENTUCKY
BEFORE THE UTILITY REGULATORY COMMISSION

* * * * *

In the Matter of

THE APPLICATION OF WILLIAM E. SIMPSON)
CONSTRUCTION COMPANY FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
AUTHORIZING SAID COMPANY TO EXPAND ITS)
EXISTING SANITARY SEWAGE COLLECTION)
TREATMENT AND DISPOSAL SYSTEM LOCATED) CASE NO. 7887
IN BIRCHWOOD SUBIDVISION, JEFFERSON)
COUNTY, KENTUCKY, SO AS TO PROVIDE)
ADDITIONAL SEWAGE TREATMENT FACILITIES)
IN THE AMOUNT OF 250,000 G.P.D.)

INTERIM ORDER

The William E. Simpson Construction Company, the Utility, has on the basis of "Construction Permit" granted by the Division of Water of the Department for Natural Resources and Environmental Protection, constructed a 250,000 GPD addition to its 150,000 GPD sewage treatment plant. Said permit was granted under authority of KRS Chapter 224. Current procedures of the Department for Natural Resources and Environmental Protection, Division of Water, are to withhold the granting of Construction Permits until the Utility Regulatory Commission has granted its "Certificate of Public Convenience and Necessity". Department for Natural Resources and Environmental Protection did not observe its usual procedures in this instance.

The Utility now has before this Commission an application for certification of the 250,000 GPD plant and has expressed its apologies for this untimely filing of its application.

The Utility provides monthly sewage disposal services to its customers for \$5.50 per single-family residence in accordance with its Tariffs on file with this Commission. Its application for certification does not include a request to adjust the \$5.50 rate. The Utility serves the residents of the Birchwood Subdivision, Jefferson County, Kentucky.

The Commission, on the basis of the matters hereinbefore set forth, finds no basis for concluding that the Utility's actions in proceeding with and completing construction of its 250,000 GPD plant without certification by this Commission were made with a deliberate attempt to circumvent the requirements of KRS 278.

Further, the Commission finds no basis for denying the Utility the privilege of charging of a \$5.50 per month sewage disposal fee to customers connected to its 250,000 GPD plant; all in accordance with its current tariffs.

IT IS THEREFORE ORDERED that the Utility shall be and is hereby granted approval for billing its customers that now are or will be connected for service to its new plant addition in accordance with its approved tariffs on file with this Commission.

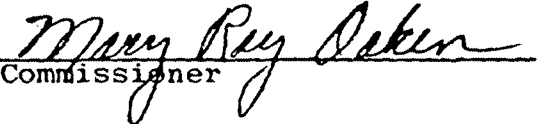
IT IS FURTHER ORDERED that the Utility be and is hereby advised that the Commission will consider the levying of penalties against the Utility should there be any further occurrences of such actions by this Utility.

Done at Frankfort, Kentucky, this 1st day of August, 1980.

UTILITY REGULATORY COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary