

COMMONWEALTH OF KENTUCKY  
BEFORE THE UTILITY REGULATORY COMMISSION

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In the Matter of

ANGLE & BEGLEY DEVELOPMENT, INC. )  
LEE ANGLE COMPANY, INC. ) CASE NOS. 7963 & 7965

ORDER

On May 30, 1980, the Commission issued orders in the above-referenced cases granting a rate adjustment to be effective after the date on which the utilities filed a valid third party beneficiary agreement as required by our regulations, or an acceptable alternative agreement. Shortly after the issuance of this order, applicants informed the Commission that they were unable to obtain either a valid third party beneficiary agreement, any other acceptable financial arrangement, or any bond in lieu of such an agreement.

A hearing was held on this matter before the Commission on September 25, 1980, at which time the applicants were able to document their inability to obtain either a third party agreement, other financial arrangement, or a bond from an insurance company.

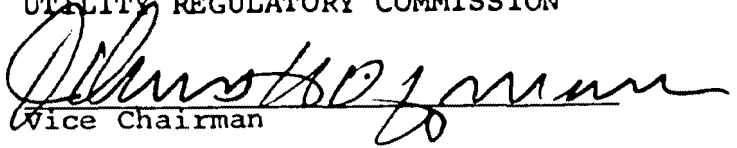
After reviewing the evidence adduced at the September 25, 1980, hearing, and being advised, the Commission hereby FINDS as follows:

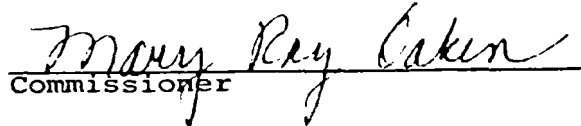
1. That Applicant is unable to obtain a third party agreement with any responsible financial entity.
2. That Applicant is unable to obtain a maintenance guarantee bond in lieu of the third party agreement.
3. That it would not serve the public interest to require Applicant to shut down its sewerage utility for failure to obtain a third party beneficiary arrangement.

The Commission hereby ORDERS that Applicants be, and they hereby are, exempted from the requirements of 807 KAR 25:060 (3) (2) (a) regarding third party beneficiary agreements.

Done this 21st day of November, 1980, at Frankfort, Kentucky.

UTILITY REGULATORY COMMISSION

  
Vice Chairman

  
Commissioner

ATTEST:

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Secretary