

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPROVAL OF THE TRANSFER)
OF THE FACILITIES OF THE)
SUMMIT HILLS HEIGHTS SANITA-) CASE NO. 8379
TION CORPORATION TO THE CITY)
OF EDGEWOOD)

O R D E R

On November 13, 1981, the City of Edgewood and Summit Hills Heights Sanitation Corporation filed a joint petition with this Commission for approval of the sale of the assets of Summit Hills Heights Sanitation Corporation ("Summit Hills") to the City of Edgewood ("Edgewood") pending performance of certain conditions stated in the contract of July 2, 1980. The contract provides for the sale, transfer and assignment of all assets and liabilities of Summit Hills, including all sewer lines, lift stations and other sewer system facilities and properties.

This matter was set for public hearing at the Commission's offices in Frankfort, Kentucky, on December 16, 1981. The matter is now submitted for final determination by the Commission.

The Commission, after careful consideration of the evidence of record and being advised, is of the opinion and finds that:

(1) Edgewood, through its contract with Sanitation District No. 1 of Campbell and Kenton Counties ("Sanitation District") for treating the effluent discharge from the Summit Hills treatment plant, is ready, willing and able to provide adequate service to the present customers of the Summit Hills plant in a safe, clean and efficient manner in conformity with the standards of the Division of Water Quality, Department for Natural Resources and Environmental Protection.

(2) The purchase of the assets of Summit Hills by Edgewood is in the best interest of the public in that the operation of said system by the third party, Sanitation District, will serve to improve the services to the customers of Summit Hills and Edgewood.

(3) A contract for the purchase and sale of the Summit Hills plant has been executed and will be consummated upon approval by the Commission.

(4) Since municipally-owned utilities are not subject to the jurisdiction of this Commission, approval of the transfer sought herein will result in the termination of the Commission's jurisdiction over the facilities acquired by Edgewood.

IT IS THEREFORE ORDERED that the merger agreement attached to the joint application and petition, made and entered into on July 2, 1980, by and between Edgewood and Summit Hills be and is hereby approved.

IT IS FURTHER ORDERED that upon consummation of the merger approved herein the jurisdiction of this Commission over Summit Hills shall cease.

Done at Frankfort, Kentucky, this 23rd day of December
1981.

PUBLIC SERVICE COMMISSION

Marlin M. Vohs
Chairman

Katherine Landall
Vice Chairman

Ann Carnegie
Commissioner

ATTEST:

Secretary