

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE KENTUCKY PUBLIC SERVICE COMMISSION)
VS. AUDUBON ENTERPRISES, INC., AND) CASE NO. 9078
SOUTHEAST DAVIESS COUNTY WATER DISTRICT)

O R D E R

On June 19, 1984, the Commission instituted this proceeding against Audubon Enterprises, Inc., ("Audubon") and Southeast Daviess County Water District ("Southeast Daviess") to show cause, if any, why Audubon should not be required to refund to its customers all revenues collected in excess of its authorized and approved rates. A hearing was scheduled for July 25, 1984, at the Commission's offices in Frankfort, Kentucky.

On July 13, 1984, Southeast Daviess, the billing and collecting agent for Audubon, filed a billing analysis indicating that all revenues, less a fee, collected by Southeast Daviess since 1977 have been paid over to Audubon.

On July 24, 1984, counsel for Audubon contacted the Commission in an effort to reach an agreed settlement of the overcollections. The Commission cancelled the hearing scheduled for July 25, 1984, to afford the parties sufficient time to negotiate a settlement. On July 26, 1984, counsel for Audubon filed an agreement whereby Audubon will immediately reduce its rates to

those approved by the Commission on January 21, 1977, and will refund to each of its 217 present customers the sum of \$1.50 per month beginning September 1, 1984, for 12 consecutive months for a total refund of \$3,906. The refunds will be paid by Audubon to Southeast Daviess and will be reflected as a credit on each of the 217 customers' sewer bills. Mr. Ralph W. Johnson, Jr., a customer of Audubon whose complaint resulted in this show cause proceeding, orally advised the Commission that he has no objection to the settlement agreement.

Based on the evidence of record, and being advised, the Commission is of the opinion and hereby finds that Audubon's tendered agreement represents a fair and reasonable settlement of its liability for overcollections, is in the best interests of Audubon's customers and should be accepted.

IT IS THEREFORE ORDERED that Audubon's settlement agreement filed July 26, 1984, be and it hereby is accepted and approved.

IT IS FURTHER ORDERED that pursuant to Audubon's settlement agreement, Audubon shall refund to each of its 217 present customers the sum of \$1.50 per month beginning September 1, 1984, for 12 consecutive months.

Done at Frankfort, Kentucky, this 6th day of August, 1984.

PUBLIC SERVICE COMMISSION

Richard D. Remar

Chairman

Paul H. [unclear]

Vice Chairman

[Signature]

Commissioner

ATTEST:

Secretary