

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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|------------------------------------|---|---------------|
| THE COMPLAINT OF JAMES E. CRAIG |) | |
| d/b/a TREEHAVEN HOMES, INC. |) | |
| |) | |
| VS. |) | CASE NO. 9386 |
| |) | |
| BOONESBORO WATER ASSOCIATION, INC. |) | |

SHOW CAUSE ORDER

On May 24, 1984, the Commission received a letter of complaint from Mr. James E. Craig, d/b/a Treehaven Homes, Inc., ("Treehaven") in reference to water main extensions that had been constructed for a real estate subdivision in Clark County, Kentucky. The customers connected to the Treehaven extensions are served by the Boonesboro Water Association, Inc. ("Boonesboro").

An informal conference was held among representatives of the Commission staff, Treehaven, and Boonesboro on February 15, 1985. After further study of the matter, the Commission staff concluded that the provisions of 807 KAR 5:066(12)(3) were applicable to the Treehaven extensions, and that Boonesboro should refund to Treehaven the average cost of 50 feet of the Treehaven extensions for each customer that Boonesboro was serving through these extensions. Boonesboro was notified of this conclusion by letter dated May 24, 1985.

By letter dated July 8, 1985, Treehaven advised the Commission that Boonesboro was not making the refunds recommended by the Commission staff letter of May 24, 1985. Subsequent correspondence between the Commission staff and Boonesboro has not altered Boonesboro's position in this matter.


Pursuant to KRS 278.260 and upon its own motion, the Commission HEREBY ORDERS that Boonesboro shall appear and give testimony, if any it can, for not making refunds to Treehaven in accordance with 807 KAR 5:066(12)(3).

IT IS FURTHER ORDERED that this matter be and it hereby is set for hearing on the 28th day of August, 1985, at 9:00 a.m., EDT, in the Commission's offices at Frankfort, Kentucky.

Done at Frankfort, Kentucky, this 26th day of July, 1985.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary