

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE AMENDED APPLICATION OF TRIPORT)
DISPOSAL COMPANY, INC., FOR AN)
ORDER APPROVING THE TRANSFER OF ITS) CASE NO. 9532
ASSETS, INCLUDING ALL OPERATING)
PERMITS, TO DELAPLAIN DISPOSAL)
COMPANY)

O R D E R

On March 21, 1986, Triport Disposal Company, Inc., ("Triport") and Georgetown Disposal Company ("Georgetown") filed a joint application seeking approval of the transfer by Triport to Georgetown of all assets comprising a sewerage treatment system located in Scott County, Kentucky. Triport amended its application on September 25, 1986, to seek authority to transfer its assets to Delaplain Disposal Company ("Delaplain") in lieu of Georgetown due to its inability to consummate a purchase agreement with Georgetown.

Based on the evidence of record, and being advised, the Commission is of the opinion and hereby finds that:

1. Triport and its owner have entered into a purchase contract dated January 29, 1986, setting forth the relevant terms and conditions for the sale of sewer facilities to the Webb Companies of Lexington, Kentucky.

2. The Webb Companies have assigned all right, title and interest in the Triport facilities to Delaplain by written assignment dated April 15, 1986.

3. Delaplain is a Kentucky corporation organized to own and operate the sewer facilities acquired from Triport.

4. Triport executed a bill of sale dated April 15, 1986, transferring all sewer facilities to Delaplain and Delaplain has been operating the facilities since that date.

5. Delaplain will adopt all rules, regulations, tariffs and rates presently in effect for Triport and will employ a licensed treatment plant operator to operate and maintain the sewer facilities.

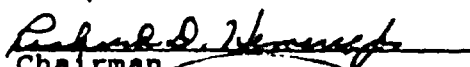
6. Delaplain possesses the requisite expertise to own and operate a sewer utility.

7. Delaplain should file an adoption notice as required by 807 KAR 5:011, Section 11, within 10 days of the date of this Order and then file tariff sheets in its own name.

IT IS THEREFORE ORDERED that the transfer of sewer facilities by Triport to Delaplain be and it hereby is approved.

Done at Frankfort, Kentucky, this 3rd day of February, 1987.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director