

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CARDINAL UTILITIES' APPLICATION)
FOR ALTERNATIVE RATE ADJUSTMENT) CASE NO. 9876
PURSUANT TO 807 KAR 5:076)

O R D E R

On April 1, 1987, the state Attorney General's Utility and Rate Intervention Division ("AG") filed a Motion to Dismiss for failure to comply with procedural requirements set out in 807 KAR 5:076. The Attorney General stated that it had not received a copy of the Application of Cardinal Utilities, Inc., ("Cardinal") which was filed with the Commission on March 2, 1987, nor had it received copies of the utility's last three annual reports. The Attorney General further stated that it received notice of this filing only after the Commission issued its acknowledgement letter stating that the application had been accepted.

Cardinal responded to the Motion by letter dated April 7 stating that the Attorney General has now been provided a copy of the application. The AG has been contacted and has confirmed that all documents requested have now been obtained.

The Commission, after review of the record and being advised, **FINDS that:**

(1) Cardinal failed to meet the procedural filing requirements set out in 807 KAR 5:076.

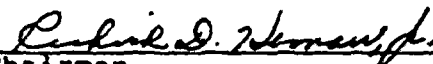
(2) All items referred to in the AG's motion filed April 1, 1987, have now been received by the AG.

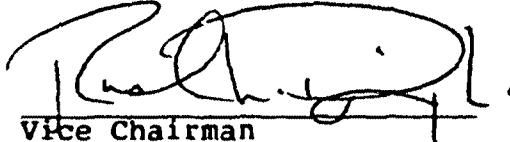
(3) The AG's motion to dismiss, having been rendered moot, should be denied.

IT IS THEREFORE ORDERED that the AG's Motion to Dismiss be and it hereby is denied.

Done at Frankfort, Kentucky, this 21st day of May, 1987.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director