

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF APPALACHIAN WASTE)
CONTROL, INC., FOR AUTHORITY TO ACQUIRE)
AND OPERATE THE SEWAGE TREATMENT PLANT) CASE NO.
LOCATED AT THE RICHMOND HILLS ESTATE) 10141
SUBDIVISION, JOHNSON COUNTY, KENTUCKY)
AND FOR APPROVAL OF RATES THEREFOR)

O R D E R

IT IS ORDERED that First Commonwealth Bank of Prestonsburg ("FCB") shall file an original and 7 copies of the following information with the Commission, with a copy to all parties of record, by October 19, 1988. If the information cannot be provided by this date, FCB should submit a motion for an extension of time stating the reason for a delay including a date by which it will be furnished.

1. Describe the past and current relationship of FCB to the property known as the Richmond Hills Estates Subdivision.

2. A map of the Richmond Hills Estates is attached. List the numbers of all lots which are currently or were previously owned by FCB. When was each lot acquired by FCB? If a lot has been conveyed by FCB, list the date of conveyance.

3. When did FCB acquire Lot #49 on which a sewage treatment facility is located? How was this lot acquired? Provide a copy of all documents associated with the acquisition of this lot (e.g. deed, bill of sale).

4. Describe the condition of the sewage treatment plant at the time of FCB's acquisition of Lot #49.

5. Describe any changes to the sewage treatment plant's condition since FCB's acquisition of Lot #49. Has any equipment been removed from the plant since FCB's acquisition of Lot #49?

6. List all efforts undertaken by FCB since acquiring Lot #49 to operate, maintain, or repair the sewage treatment plant.

7. If FCB has not made any effort to maintain or operate the sewage treatment plant, explain why.

8. Upon acquiring Lot #49, did FCB consider itself under any legal obligation to operate the sewage treatment plant? Explain your answer.

9. Describe any efforts which have been made by FCB to transfer the ownership of the sewage treatment plant to the residents of the Richmond Hills Estate Subdivision. List any conditions which FCB may have prescribed for transfer of ownership to the residents.

10. If FCB has transferred any lot located in the Richmond Hills Estates Subdivision since its acquisition of Lot #49, describe what representations, if any, it has made to any transferee about the operation of the sewage treatment plant.

11. Describe the relationship, if any, which exists between FCB and Appalachian Waste Control, Inc. or the officers of Appalachian Waste Control, Inc.

12. FCB states in its application to abandon the sewage treatment plant that the plant cannot be operated but at "a severe economic loss." Please explain this statement. Provide

supporting evidence including any calculations on the expected operating expenses and income of the plant once in operation.

13. FCB states in its application that the cost of installing a private septic system may be less than the rates which an operator would have to charge to recoup his cleanup investment and future operating expenses. Please explain this statement and provide supporting evidence for it.

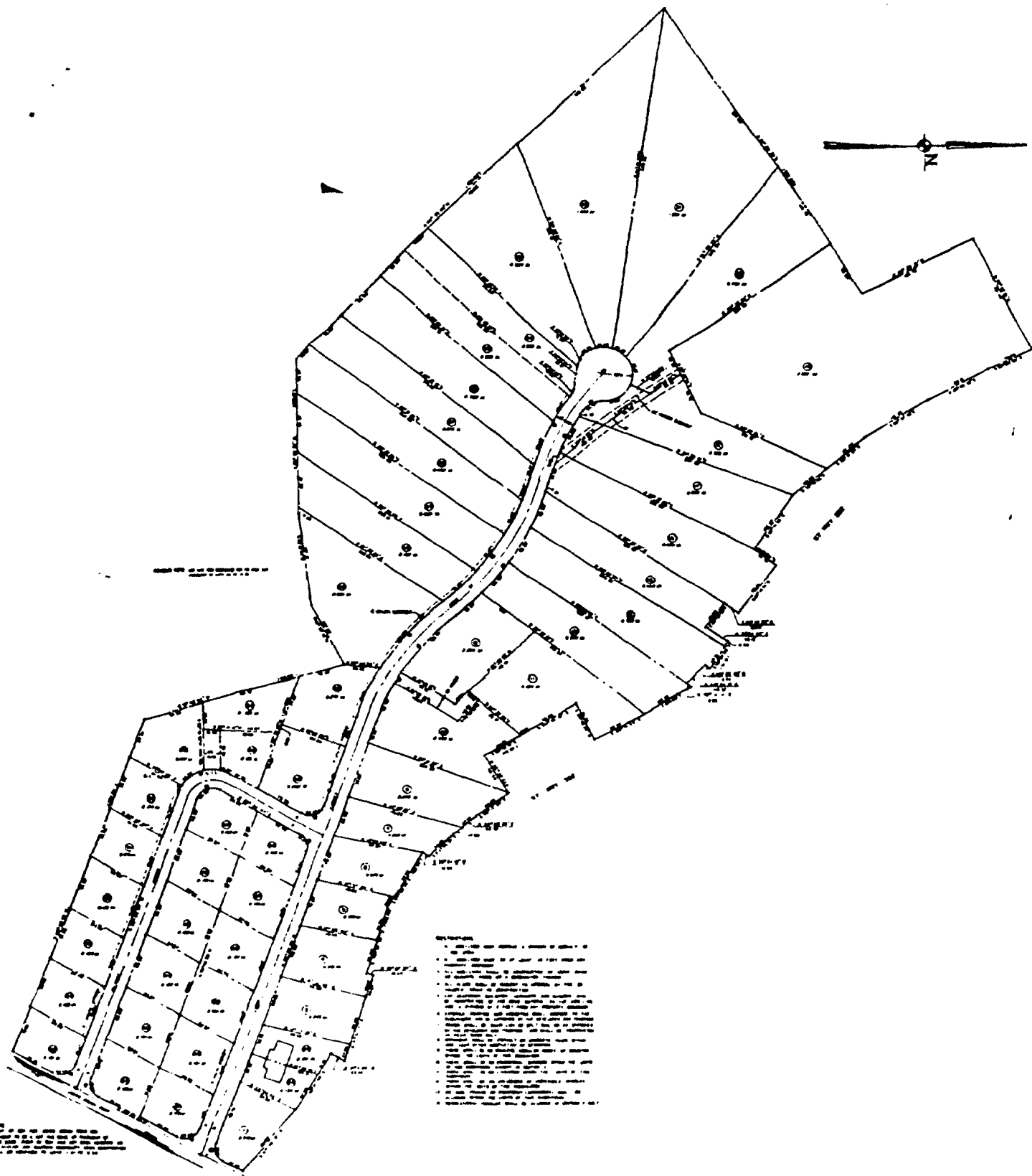
Done at Frankfort, Kentucky this 11th day of October, 1988.

PUBLIC SERVICE COMMISSION

Richard D. Harrison, Jr.
For The Commission

ATTEST:

Executive Director



Legend

1. Plot boundaries

2. Road boundaries

3. Building footprints

4. Utility lines

5. Water features

6. Topography

7. Other features

Scale 1:1000

North Arrow