

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION FOR TRANSFER OF)
PARADISE VALLEY SEWAGE TREATMENT PLANT,) CASE NO. 89-064
INC. TO APPALACHIAN WASTE CONTROL, INC.)

O R D E R

On March 16, 1989, Appalachian Waste Control, Inc. ("Appalachian Waste Control") filed an application for Commission approval of the sale of the Paradise Valley Subdivision Sewage Treatment Plant from Paradise Valley Subdivision Sewage Treatment Plant, Inc. to Appalachian Waste Control.

After reviewing the evidence of record and being sufficiently advised, the Commission is of the opinion and finds that:

1. Appalachian Waste Control is a recently formed corporation. Keith Fairchild and David Bowling are its principal shareholders and officers.

2. Appalachian Waste Control proposes to have Mr. Fairchild be primarily responsible for the daily operations of the sewage treatment plant.

3. Until March 1, 1989, Mr. Fairchild held a certificate from the Kentucky Board of Certification of Wastewater System Operators to operate a Class III wastewater treatment system. On March 1, 1989, Mr. Fairchild's certificate lapsed and is no longer valid.

4. No person shall have primary responsibility for the operation of any sewage treatment unless he holds a valid

certificate from the Kentucky Board of Certification of Wastewater System Operators. KRS 224.135(2).

5. No person may authorize or allow any person who does not hold a certificate from the Kentucky Board of Certification of Wastewater System Operators to have primary responsibility for the operation of a sewage treatment facility. KRS 224.135(3).

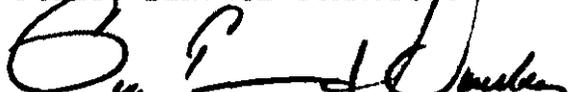
6. Insofar as Appalachian Waste Control does not propose to employ a person who holds a certificate from the Kentucky Board of Certification of Wastewater System Operators to have primary responsibility for the operation of the Paradise Valley Sewage Treatment Plant, its operation of that plant will not be in compliance with existing state law.

7. As it lacks a certified wastewater treatment operator, Appalachian Waste Control currently lacks the technical ability to provide reasonable utility service.

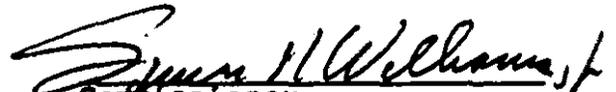
IT IS THEREFORE ORDERED that Appalachian Waste Control's application for approval of the transfer of the ownership of the Paradise Valley Subdivision Sewage Treatment Plant is denied without prejudice.

Done at Frankfort, Kentucky, this 18th day of August, 1989.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director