

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF THELMA WASTE CONTROL, INC.))	
_____)	CASE NO. 91-057
)	
ALLEGED VIOLATION OF KRS CHAPTER 278)	

O R D E R

On April 25, 1991, pursuant to the request of Thelma Waste Control, Inc. ("TWC"), an informal conference was held in the Commission's offices to discuss matters at issue in this show cause proceeding. Representatives of TWC and Commission Staff were present. At the conference, TWC informed Staff that it was in the process of purchasing two new sewage treatment plants to replace the systems which are the subject of this proceeding. The issue of whether TWC is a "neighborhood association" outside the jurisdiction of the Commission was also discussed. At the conclusion of the conference, representatives of TWC agreed to file a report with the Commission within 30 days concerning the status of installation and operation of the new plants. TWC also agreed to notify the Commission as to whether it intended to redraft its Articles of Incorporation to render it an entity outside the jurisdiction of the Commission.

On June 21, 1991, the Commission received a letter from TWC informing the Commission that TWC had signed contracts for the purchase and installation of the two new sewage treatment plants.

Installation dates for the two plants have not yet been determined. TWC further informed the Commission that permit applications are presently being filed with the Kentucky Natural Resources and Environmental Protection Cabinet, Division of Water and the Commission for this construction, although to date no permit applications have been received at the Commission. TWC also stated that there has been no change in the status of the association, which indicates that TWC will submit to Commission jurisdiction.

Inasmuch as it appears that TWC may correct all deficiencies at issue in this show cause proceeding by the imminent installation of the two new treatment plants, the Commission finds that this proceeding should be held in abeyance.

IT IS THEREFORE ORDERED that:

1. This proceeding is hereby held in abeyance for 30 days from the date of this Order.

2. TWC shall file a report with the Commission, within 30 days from the date of this Order, providing the status of permit applications for construction and installation of the two new sewage plants.

Done at Frankfort, Kentucky, this 5th day of July, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:



Executive Director


Commissioner