

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF PRICE ESTATES)
SUBDIVISION WASTEWATER TREATMENT SYSTEM)
and)
ROBERT TRIMBLE)) CASE NO. 91-071
_____))
ALLEGED VIOLATION OF KRS CHAPTER 278)

O R D E R

On September 30, 1991, the Commission issued an Order directing the Thelma Development Club ("Thelma") to appear at an informal conference before the Commission on November 7, 1991, for the purpose of addressing the issues raised in this investigation. The Commission directed Thelma to appear because, pursuant to a hearing, the Commission had determined that ownership of the sewage treatment plant was vested in either Joann Trimble or Thelma.

On October 10, 1991, the Commission received a letter from Thelma stating that, subsequent to learning of the devise of the sewage plant to it, Thelma had disclaimed any interest in the sewage treatment plant by filing a disclaimer in Johnson Circuit Court in the record for the probate of the Robert Trimble estate, Case No. 91-P-00070. A copy of the October 10, 1991 letter from Thelma and the disclaimer are attached hereto and incorporated by reference herein as Exhibit A.

Based on the foregoing information, it appears that Thelma's attendance at the informal conference may not assist in the resolution of the ownership of the sewage treatment plant at this time. Therefore, Thelma should not be required to attend the scheduled informal conference.

The Commission, having been otherwise sufficiently advised, HEREBY ORDERS that:

1. Thelma shall not be required to attend the informal conference scheduled on November 7, 1991 at 1:30 p.m., Eastern Standard Time, in Conference Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.

2. Nothing in this Order shall prevent Thelma from attending the scheduled informal conference if it so desires.

3. Nothing in this Order shall prevent the Commission from directing Thelma to attend future proceedings involving this investigation.

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

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director

THELMA DEVELOPMENT CLUB
REGULAR MEETING, OCTOBER 7, 1991

Meeting was called to order by the Chairman, Betty Franklin
at 7:PM

Present:

1. Betty Franklin (Chairman)
2. Ernest Franklin
3. Kenneth DeBoard (Secretary)
4. Billah DeBoard
5. Martin Childers (Treasurer)
6. Ennamae Childers

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PUBLIC SERVICE
COMMISSION

TREASURER REPORT:

Balance...3,446.98

OLD BUSINESS:

Secretary presented a purposed contract for the renting of the Community Center. After some discussion, it was accepted by the group.

Halloween activities were discussed. Ern Franklin made a motion that the Club not participate this year. The motion was seconded by Martin Childers and carried.

NEW BUSINESS:

The Secretary, Kenneth DeBoard reported to the Club that a letter was recently received from Lee M. MacCracken of The Public Service Commission.

The Secretary reported that Mr. MacCrackens letter had advised that a Utility investigator for the commission had determined that the Late Robert P. Trimble had willed his interest in a sewage plant, located at Price Sub-division to the Thelma Dev. Club.

The letter was passed around and after some discussion, it was determined that none of the members had any knowledge of Mr. Trimbles actions concerning the sewage treatment plant.

ERNEST FRANKLIN made a motion that The Thelma Development Club refuse to accept and disclaim any interest in The Price Estates Subdivision Sewage Treatment Plant.

The motion was seconded by Martin Childers and unanimously approved.

The Chairman directed that a copy of the minutes, along with our concern that a situation of this magnitude could exist without the interested parties, namely, The Thelma Dev. Club, not being advised, be mailed to:

1. Lee M. MacCracken, Public Service Commission.
2. Joann Trimble, Executrix
3. John O. Preston, Attorney for the Estate.
4. Vickie Rice, Johnson County Circuit Court Clerk.

A TRUE COPY ATTEST:
VICKI (CRACE) RICE
JOHNSON COUNTY CIRCUIT COURT

DATE: 10-9-91

Oct. 7, 1991.

The Chairman further directed that the Circuit Court Clerk be requested to file this action and make it a part of the records in regards to 91-P-00070, The Estate of Robert Trimble.

Meeting adjourned.

Betty Franklin
Betty Franklin, Chairman

Kenneth R DeBoard
Kenneth R DeBoard, Secretary

Lee M. MacCracken
Executive Director
Public Service Commission
730, Schenkel Lane
Frankfort, Kentucky

Mr. Lee M. MacCracken,

Please be advised that your order received Friday, October 4, 1991 caused us some concern, as the information obtained by your investigator reference Robert P. Trimble, willing his interest in the waste treatment plant at Price Sub-division to the Thelma Dev. Club.

It is unbelievable that we were not made aware of this matter, either by the executrix, Joann Trimble or the Estates Attorney, John D. Preston.

The inclosed certified copy of our latest regular meeting, held Oct. 7, 1991 indicates our concern and our action, disclaiming any interest in the sewage plant described in your order.

Be advised that most of our members are working people with job obligations and we are hoping that the action that we have taken, and the proof inclosed will excuse us from your scheduled conference on November 7, 1991 reference this matter.

I am scheduled to be in Orlando, Florida on that date reference a Court Security Seminar and it would cause serious scheduling problems if I do not attend.

enclosures (2)

Sincerely



Kenneth R DeBoard, Secretary
Thelma Dev. Club