

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BOONE COUNTY WATER AND SEWER DISTRICT,)
SANITATION DISTRICT NO. 1 OF CAMPBELL AND)
KENTON COUNTIES, DWIGHT BRAY, BILL C.)
SHEHAN, SR., ROBERT C. BELL, RICHARD)
CRISP, AND R. C. DURR)

) CASE NO. 93-084
)

ALLEGED VIOLATION OF KRS 278.020(1))

O R D E R

IT IS ORDERED that Boone County Water and Sewer District ("Boone") shall file the original and 10 copies of the following information with the Commission within 20 days from the date of this Order, with a copy to all parties of record. Each copy of the data requested should be placed in a bound volume with each item tabbed. When a number of sheets are required for an item, each sheet should be appropriately indexed, for example, Item 1(a), Sheet 2 of 6. Include with each response the name of the witness who will be responsible for responding to questions relating to the information provided. Careful attention should be given to copied material to ensure that it is legible.

1. (a) State the name, position, and address of each witness which Boone District expects to present.

(b) Summarize each witness' expected testimony.

2. List all cases before the Commission in which Boone District applied for a Certificate of Public Convenience and Necessity.

3. Provide a copy of the minutes of each meeting of Boone District's Board of Commissioners held between January 1, 1988 and February 1, 1994.

4. Refer to the May 30, 1990 Agreement between Boone District and Sanitation District No. 1 of Campbell and Kenton Counties ("Sanitation District No. 1").

a. Identify the "modifications to its Black and Veatch Engineering Master Plan Report of 1988" to which the Agreement refers.

b. Explain why each modification was made.

c. Provide all studies which identify and discuss these modifications.

d. Has Boone District submitted for review to the Division of Water, Department of Environmental Protection, Natural Resources and Environmental Protection Cabinet ("DOW") any modification to Black and Veatch's "Master Plan Report - Regional Wastewater Treatment Implementation Study?"

e. If yes,

(1) provide a copy of these submissions.

(2) state the date each modification was submitted.

f. If no, explain why no revisions were submitted.

g. Provide all correspondence between Boone District and DOW in which modifications to the 1988 Master Plan Report are discussed.

h. Identify the "major international industrial corporation" referred to in the Agreement.

i. State whether the "major international industrial corporation" referred to in paragraph 5 of the May 30, 1990 Agreement eventually located in Boone County, Kentucky.

5. a. Identify those facilities which Boone District transferred to Sanitation District No. 1 pursuant to the May 30, 1990 Agreement.

b. When was each facility transferred?

6. a. Identify all facilities which Boone District has purchased from Sanitation District No. 1 in accordance with paragraph 5 of the May 30, 1990 Agreement.

b. When did each purchase occur?

c. State the cost of each facility purchased.

d. State the total cost of all purchases made by Boone District pursuant to paragraph 5 of the May 30, 1990 Agreement.

e. Explain how these purchases were financed.

7. Pursuant to paragraph 5 of the May 30, 1990 Agreement, what sewer collection and transmission facilities in Boone County, Kentucky, will Sanitation District No. 1 own if both parties comply with all terms of the Agreement?

8. What obligations does Sanitation District No. 1 have as to the operation and maintenance of facilities located in Boone

County, Kentucky and constructed pursuant to the May 30, 1990 Agreement?

9. Refer to Boone District's Response to the Commission's Order of March 15, 1993. Identify the "discussions with the PSC staff" referred to on page 2. Provide all documents, correspondence, internal memorandum which refer to, discuss, or are part of these "discussions."

10. List all persons serving on Boone District's Board of Directors from January 1, 1988 through January 1, 1993.

11. Refer to the September 16, 1991 Agreement between Boone District, Sanitation District No. 1, and Boone County, Kentucky, paragraph 5.

a. Identify the facilities which Boone District must purchase.

b. When must Boone District purchase the facilities?
(State the date of purchase if known.)

c. Has Sanitation District No. 1 completed construction of these facilities?

d. If yes,

(1) what was the date of completion?

(2) what was the final cost of constructing these facilities?

(3) are the facilities operational?

12. What facilities located within the jurisdictional boundaries of Boone County, Kentucky will Sanitation District No.

1 own after all terms of the September 16, 1991 Agreement have been fulfilled?

13. a. Describe how Boone District will finance the purchase of the facilities which the Agreements of May 31, 1990 and September 16, 1991 require.

b. When did Boone District devise its financing plan for the purchase of these facilities?

14. a. If Boone County, Kentucky assumes Boone District's financial obligations under the September 16, 1991 Agreement, does it have a right to seek reimbursement from Boone District?

b. Has Boone County, Kentucky advised Boone District whether it will require Boone District to reimburse it for any sums which it must pay Sanitation District No. 1 under the provisions of the September 16, 1991 Agreement?

c. Provide all correspondence between Boone County, Kentucky and Boone District in which the September 16, 1991 Agreement is discussed.

Done at Frankfort, Kentucky, this 25th day of February, 1994.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director