

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF TRIMBLE COUNTY WATER)	
DISTRICT NO. 1 FOR A DEVIATION FROM 807)	CASE NO. 94-492
KAR 5:066, SECTION 4(4))	

O R D E R

Trimble County Water District No. 1 ("Trimble"), a water district formed pursuant to the provisions of KRS Chapter 74, owns and operates facilities used for the distribution and furnishing of water to the public for compensation in Trimble County, Kentucky, and is therefore a utility subject to Commission jurisdiction. KRS 278.010(3)(d); KRS 278.015.

KRS 278.280 authorizes the Commission to prescribe rules for the performance of any service furnished or supplied by a utility. Pursuant to this authority, the Commission has promulgated Commission Regulation 807 KAR 5:066, which establishes general rules for the operation of water utilities.

On December 5, 1994, Trimble requested a deviation from 807 KAR 5:066, Section 4(4), which states:

The minimum storage capacity for systems shall be equal to the average daily consumption.

In order to obtain the information necessary to grant such a request, Commission Staff forwarded an application for such a deviation to Trimble on December 28, 1994.

Despite reminder letters of March 16, 1995, and May 9, 1995, in addition to telephone calls, the Commission has not received the

completed application from Trimble. Without the information contained in the application, Trimble's request for a deviation from 807 KAR 5:066, Section 4(4), cannot be considered.

As Trimble has made no attempt to pursue a deviation from 807 KAR 5:066, Section 4(4), and has failed to supply the Commission with the information necessary to enable it to consider such a request, this case should be dismissed.

IT IS THEREFORE ORDERED that Trimble's application for a deviation from 807 KAR 5:066, Section 4(4), is hereby dismissed.

Done at Frankfort, Kentucky, this 29th day of June, 1995.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director