

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF BARTONVILLE LAKE)
ACRES, INC., TO ABANDON THE SYSTEM) CASE NO. 95-174

O R D E R

On April 3, 1995, Bartonville Lake Acres, Inc. ("Bartonville") filed its annual report with the Commission. Included with its annual report was a note signed by Lewis D. Tate, Bartonville's owner, informing the Commission that:

Due to the completion of the City of Monticello Water Division installed within the Bartonville Lake Acres Inc. and serving same with water, we will terminate this service as of March 31, 1995.

The Commission has treated this note as an application by Bartonville to abandon its water distribution system.

KRS 278.020(4) states:

No person shall acquire or transfer ownership of, or control, or the right to control, any utility under the jurisdiction of the commission by sale of assets, transfer of stock, or otherwise, or abandon the same, without prior approval by the commission. The commission shall grant its approval if the person acquiring the utility has the financial, technical, and managerial abilities to provide reasonable service.

The Commission, having reviewed the evidence of record and being otherwise sufficiently advised, finds that:

1. Bartonville provided water service to approximately 10 residential customers in the Monticello area.

2. The customers of Bartonville were given sufficient notice and ample time to make the arrangements necessary to connect to the

Monticello Utility Commission's ("Monticello") area expansion project. While Bartonville originally proposed to terminate service as of March 31, 1995, it notified its customers around May 1 by letter that they still had thirty days to make the necessary arrangements with Monticello. The customers were informed that Bartonville would make its last billing at the end of May.

3. By letter dated July 17, 1995, Bartonville informed the Commission that all of its customers had connected to Monticello's system by the end of May.

4. Bartonville had no written agreement with Monticello, but agreed to cease providing water to its customers once they had all connected to Monticello's system.

5. Monticello completed its expansion project to the area, and is providing water service to all of the former customers of Bartonville.

6. Monticello has the financial, technical, and managerial abilities to provide reasonable service. It is a municipal utility serving approximately 4200 customers, and has just recently doubled its plant capacity. It is staffed by qualified personnel with expertise in all areas of utility operations. The customers of Bartonville have access to the same or better level of service.


7. Bartonville's application to abandon its system meets the requirements of KRS 278.020(4) and should be approved.

IT IS THEREFORE ORDERED that the application of Bartonville to abandon its water distribution system is hereby approved effective from the date of this Order.

Done at Frankfort, Kentucky, this 28th day of July, 1995.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director