

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                                |   |                 |
|--------------------------------|---|-----------------|
| THE VERIFIED JOINT APPLICATION | ) |                 |
| OF BOONESBORO WATER            | ) |                 |
| ASSOCIATION, INC. AND          | ) |                 |
| KENTUCKY-AMERICAN WATER        | ) |                 |
| COMPANY FOR APPROVAL OF THE    | ) | CASE NO. 97-320 |
| TRANSFER OF THE OWNERSHIP OF   | ) |                 |
| THE ASSETS OF BOONESBORO       | ) |                 |
| WATER ASSOCIATION, INC. TO     | ) |                 |
| KENTUCKY-AMERICAN WATER        | ) |                 |
| COMPANY                        | ) |                 |

O R D E R

IT IS ORDERED that Boonesboro Water Association, Inc. ("Boonesboro Water") and Kentucky-American Water Company ("Kentucky-American") shall file the original and 10 copies of the following information with the Commission with a copy to all parties of record no later than September 5, 1997. Boonesboro Water and Kentucky-American shall furnish with each response the name of the witness who will be available to respond to questions concerning each item of information requested at the public hearing scheduled for September 19, 1997.

1. Refer to Boonesboro Water's and Kentucky-American's response to Item 3 of the Commission's Order of August 15, 1997 and the exhibit thereto.

a. Where in its bylaws is Boonesboro Water's board of directors given the authority to sell the assets of the Association?

b. Elaborate upon the position given in response to Item 3(c) that Boonesboro Water's bylaws do not require its members to vote upon the proposed transaction.

c. Even if Boonesboro Water's bylaws do not require its members to vote upon the proposed transaction, explain why such a vote is not required by KRS 273.283.

2. Refer to Boonesboro Water's and Kentucky-American's response to Item 32 of Winchester Municipal Utilities' Data Request No. 1.

a. Has Clark County Water District No. 1 been legally dissolved?

b. If so, explain how the dissolution was accomplished.

c. If not, explain the current status of Clark County Water District No.

1.

Done at Frankfort, Kentucky, this 28th day of August, 1997.

PUBLIC SERVICE COMMISSION

  
For the Commission

ATTEST:

  
Executive Director