

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN APPLICATION PURSUANT TO KRS 74.012)
TO ESTABLISH A WATER DISTRICT IN) CASE NO. 97-435
MENIFEE COUNTY, KENTUCKY)

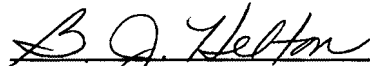
O R D E R

On June 3, 1998, the Commission ordered a public hearing to be held in this matter on November 17, 1998 and directed the Applicants to appear and present evidence on their application. The Commission further advised the Applicants that their failure to appear at this hearing would constitute ground for dismissal of their application. Though duly notified of this hearing, Applicants did not appear personally or through counsel.

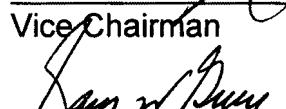
As Applicants bear the burden of proof in this matter, Energy Regulatory Commission v. Kentucky Power Co., Ky.App., 605 S.W.2d 46 (1980), and as they have failed to appear to present any proof in support of their application, IT IS HEREBY ORDERED that the application of Karl D. Bradley, Sr., Johnny Mynbrier Bradley, JoAnn C. Needham, Donnie Martin, and Carolyn Martin for approval to petition Menifee County Fiscal Court for the creation of a water district in Menifee County, Kentucky is dismissed with prejudice.

Done at Frankfort, Kentucky, this 20th day of November, 1998.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director