

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF THE LOUISVILLE WATER	)	
COMPANY FOR APPROVAL OF MERGER	)	CASE NO.
AND ACQUISITION OF OWNERSHIP OF	)	2000-306
KENTUCKY TURNPIKE WATER DISTRICT	)	

O R D E R

On June 15, 2000, the Louisville Water Company filed its Verified Application (the "Application") for approval of its proposed acquisition of ownership of Kentucky Turnpike Water District, Divisions 1 and 2 ("Kentucky Turnpike") pursuant to KRS 278.020(4) and (5). KRS 278.020(4) states that no person shall acquire ownership or control of any utility under Commission jurisdiction without prior Commission approval. The Commission is to grant such approval if the acquirer has the financial, technical, and managerial abilities to provide reasonable service. KRS 278.020(5) requires prior Commission approval of the acquisition of any utility furnishing utility service in Kentucky, and provides that the Commission shall approve such acquisition when the same is to be made in accordance with law, for a proper purpose, and in accordance with the public interest. Kentucky Turnpike is a utility furnishing water service in Bullitt County, Kentucky, pursuant to KRS 278.010. Accordingly, the acquisition may not take place without Commission approval. An Order on the application is due within 60 days of the filing date unless the Commission and the acquirer agree to a later date. KRS 278.020(5). Here, the 60-day period expires on August 14, 2000.

By facsimile transmission received by the Commission on August 11, 2000, the Vice President, General and Corporate Secretary to the Louisville Water Company

confirms that the Louisville Water Company, the acquirer herein, has agreed to waive the 60-day deadline. The Louisville Water Company also states, among other things, that it intends to amend its initial application herein on August 14, 2000, to include the parties' final merger agreement, a document which, according to the Statement of Intent filed in the initial application, will supersede previous agreements of the parties regarding the specific terms of the transfer.

Under the circumstances, an extension is necessary and reasonable and should be granted. The Louisville Water Company does not specify the length of the extension to which it wishes to agree. However, 30 additional days from the date of this Order appears to be sufficient time for the Commission to complete its review of this matter, including the documents to be submitted on August 14, 2000.

IT IS THEREFORE ORDERED that this case shall be extended for a period not to exceed 30 days from the date of this Order.

Done at Frankfort, Kentucky, this 14<sup>th</sup> day of August, 2000.

By the Commission

ATTEST:

  
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Executive Director, Acting