

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE JOINT APPLICATION OF SPEARS WATER)
COMPANY, INC. AND THE CITY OF)
NICHOLASVILLE FOR APPROVAL OF AN ASSET)
PURCHASE AGREEMENT WHEREBY THE CITY)
OF NICHOLASVILLE PROPOSES TO ACQUIRE) CASE NO. 2001-00325
THE EXISTING WATER DISTRIBUTION SYSTEM)
OF THE SPEARS WATER COMPANY, INC.)
PURSUANT TO THE PROVISIONS OF KRS)
278.020(4) AND 807 KAR 5:001 (8))

ORDER

Kentucky-American Water Company (Kentucky-American) has filed notice of its withdrawal of its request for a hearing and its intervention in this matter. The Commission shall consider this notice as a motion to cancel the scheduled hearing and for leave to withdraw from this proceeding. Having reviewed the motion and further finding that no party has filed written testimony with the Commission as required by our Order of January 14, 2002, the Commission finds that the scheduled hearing in this matter should be cancelled and that Kentucky-American should be permitted to withdraw from this proceeding.

IT IS THEREFORE ORDERED that:

1. Kentucky-American's motion to cancel the scheduled hearing and for leave to withdraw from this matter is granted.
2. The scheduled hearing in this matter is cancelled.
3. Kentucky-American is granted leave to withdraw from this matter.

Done at Frankfort, Kentucky, this 20th day of February, 2002.

By the Commission

ATTEST:


Executive Director