

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF BLACK MOUNTAIN UTILITY)	
DISTRICT OF HARLAN COUNTY, KENTUCKY FOR)	
A CERTIFICATE OF PUBLIC CONVENIENCE AND)	CASE NO.
NECESSITY TO CONSTRUCT A WASTEWATER)	2003-00100
PROJECT PURSUANT TO THE PROVISIONS OF)	
KRS 278.023)	

O R D E R

On March 13, 2003, Black Mountain Utility District (Black Mountain) submitted an application for a Certificate of Public Convenience and Necessity to construct an \$88,000 wastewater improvement project. This project will provide new service to approximately 16 customers in the Closplint area of Harlan County with the installation of a 5,000 gallon per day package wastewater treatment plant and related appurtenances. Project funding is through the proceeds of a Personal Responsibility in a Desirable Environment (PRIDE) grant in the amount of \$88,000, which is being administered by the United States Department of Agriculture, acting through Rural Development (RD).

Black Mountain's application was made pursuant to KRS 278.023, which requires the Commission to accept agreements between water utilities and the U. S. Department of Agriculture or the U. S. Department of Housing and Urban Development and to issue the necessary orders to implement the terms of such agreements within 30 days of satisfactory completion of the minimum filing requirements. Given that minimum filing

requirements were met in this case on March 13, 2003, KRS 278.023 does not grant the Commission any discretionary authority to modify or reject any portion of this agreement.

IT IS THEREFORE ORDERED that:

1. Black Mountain is granted a Certificate of Public Convenience and Necessity for the proposed construction project.
2. Black Mountain shall file a copy of the as-built drawings and a certified statement that the construction has been satisfactorily completed in accordance with the contract plans and specifications within 60 days of the substantial completion of the construction certificated herein.
3. Black Mountain shall notify the Commission one week prior to the actual start of construction and at the 50 percent completion point.
4. Black Mountain's proposed plan of financing with RD is accepted.

Nothing contained herein shall be deemed a warranty of the Commonwealth of Kentucky, or any agency thereof, of the financing herein accepted.

Done at Frankfort, Kentucky, this 14th day of April, 2003.

By the Commission

ATTEST:


Executive Director