

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TARIFF FILING OF SHADOW WOOD SUBDIVISION	)	
SEWER SERVICE, A JOINT VENTURE OF FOURTH	)	
AVENUE CORPORATION AND LONG	)	CASE NO.
CORPORATION D/B/A SHADOW WOOD	)	2003-00324
SUBDIVISION SEWER SERVICE TO MAKE	)	
VARIOUS TARIFF LANGUAGE REVISIONS AND	)	
ESTABLISH CERTAIN NON-RECURRING CHARGES	)	

O R D E R

On August 21, 2003, Shadow Wood Subdivision Sewer Service, a Joint Venture of Fourth Avenue Corporation and Long Corporation d/b/a/ Shadow Wood Subdivision Sewer Service ( Shadow Wood ) filed with the Commission new tariff sheets purporting to set out the rates that the Commission ordered in Case No. 2001-00423.<sup>1</sup> The filing does contain those rates set forth in Case No. 2001-00423; however, the filing also contains several proposed, unauthorized charges.<sup>2</sup>

On September 6, 2002, the Commission issued an Order in Case No. 2001-00423 in which it authorized Shadow Wood to change its residential and commercial

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<sup>1</sup> Case No. 2001-00423, The Application of Shadow Wood Subdivision Sewer Service, a Joint Venture of Fourth Avenue Corporation and Long Corporation d/b/a/ Shadow Wood Subdivision Sewer Service for an Adjustment of Rates Pursuant to the Alternative Rate Filing Procedure for Small Utilities (final Order dated September 6, 2002)(final Order on Rehearing dated March 13, 2003).

<sup>2</sup> Currently Shadow Wood s tariff contains no special charges.

rates and to charge a surcharge to recover litigation costs.<sup>3</sup> On March 13, 2003, the Commission issued an Order in the same case in which it adjusted Shadow Wood's residential and commercial rates to \$22.78 per month. These new rates, plus the \$3.39 surcharge, were the only rates approved by the Commission.

Included in the documents that Shadow Wood filed with the Commission are charges ranging between \$50 to \$25,000 for services from connections to theft of service.<sup>4</sup> The Commission did not approve these charges in Case No. 2001-00423, and no supporting evidence accompanied the proposed charges. These proposed charges constitute significant changes in Shadow Wood's tariff and must be accompanied by data to support the prices sought to be charged. Lacking such evidence and prior Commission approval, Shadow Wood's filing of August 21, 2003 is rejected in its entirety. To collect any new, special charges, Shadow Wood must request Commission approval.

Shadow Wood should, within 10 days of the date of this Order, file its rates with the Commission as ordered in Case No. 2001-00423. If Shadow Wood fails to make such a filing, it may be subject to the penalties of KRS 278.990.

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<sup>3</sup> Case No. 2001-00423, Order dated September 6, 2002, Appendix A. The rates are as follows:

Residential: \$21.71 per month.  
Commercial: \$21.71 per month per residential equivalent unit.  
Monthly surcharge: \$ 3.39 per customer, to be billed monthly for a period of 5 years or until Shadow Wood has billed \$48,103 plus interest of 4 percent per annum, whichever occurs first.

<sup>4</sup> Shadow Wood proposes to charge a monthly surcharge of \$3.46 when the Commission specifically ordered in Case No. 2001-00423 that the monthly charge shall be \$3.39.

IT IS THEREFORE ORDERED that:

1. Shadow Wood's August 21, 2003 filing is rejected in its entirety.
2. Within 10 days of the date of this Order, Shadow Wood shall file tariff sheets containing only its revised rates as ordered by the Commission in Case No. 2001-00423.

Done at Frankfort, Kentucky, this 8<sup>th</sup> day of October, 2003.

By the Commission

ATTEST:

  
Executive Director