

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF OVERLAND)	
DEVELOPMENT, INC. FOR A DEVIATION FROM)	CASE NO.
THE REQUIREMENTS OF 807 KAR 5:066,)	2003-00463
SECTION 4(4), REGARDING WATER STORAGE)	

O R D E R

On December 1, 2003, Overland Development, Inc. (Overland Development) applied for permission to deviate from Administrative Regulation 807 KAR 5:066, Section 4(4), which requires that each utility maintain minimum water storage of one day's supply of its average daily usage. Overland Development states in its application that its average daily water usage, including unaccounted-for water, is approximately 19,000 gallons, and that it does not have any water storage tanks in its system. Big Sandy Water District, Overland Development's current water supplier, has a 300,000-gallon storage tank within 3,000 feet of Overland Development's master meter. Big Sandy Water District has issued a letter to Overland Development giving its assurance and stating that its stored water supply is available for Overland Development in the same manner and for the same purpose for which stored water is maintained for all its other customers. This letter was issued on January 9, 2003 and is valid until January 9, 2008.

The Commission, having reviewed the application and being otherwise sufficiently advised, finds that:

1. Overland Development is not in compliance with Administrative Regulation 807 KAR 5:066, Section 4(4), but for good cause shown a deviation should be granted.

2. Overland Development should be given until January 9, 2008 to comply with Administrative Regulation 807 KAR 5:066, Section 4(4) or request an extension to this deviation.

IT IS THEREFORE ORDERED that:

1. Overland Development's request for deviation is granted until January 9, 2008 to comply with the provisions of Administrative Regulation 807 KAR 5:066, Section 4(4) or request an extension to this deviation.

2. Overland Development shall take all necessary actions to come in to compliance with the water storage requirement in 807 KAR 5:066, Section 4(4) or request an extension to this deviation prior to January 9, 2008.

Done at Frankfort, Kentucky, this 24th day of December, 2003.

By the Commission

ATTEST:

A handwritten signature in black ink, appearing to read "Thomas H. O'Dell", written over a horizontal line.

Executive Director

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