

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

| | | |
|--------------------------------------|---|---------------|
| THE APPLICATION OF THE MARROWBONE |) | |
| CREEK WATER DISTRICT FOR (1) A |) | |
| CERTIFICATE OF CONVENIENCE AND |) | |
| NECESSITY AUTHORIZING THE CON- |) | |
| STRUCTION OF AN ADDITIONAL WATER |) | |
| TREATMENT PLANT, NEW WATER STORAGE |) | CASE NO. 9622 |
| TANKS AND PUMP STATIONS, AND DISTRI- |) | |
| BUTION MAINS; (2) AUTHORIZING A |) | |
| GENERAL RATE INCREASE; AND (3) |) | |
| APPROVAL OF THE METHOD OF FINANCING |) | |
| AND THE AUTHORIZATION TO ISSUE |) | |
| SECURITIES |) | |

O R D E R

The record in this matter shows that Marrowbone Creek Water District ("Marrowbone") is seeking a certificate of public convenience and necessity for the construction of a waterworks improvements project, approval of its construction financing and adjustments to its water service rates.

The application filed June 27, 1986, did not provide the essential information and documents for proper review by the Commission. After 5 months the record remains incomplete and inadequate for the review process. Further, Marrowbone is considering the construction of a transmission main and purchase of water from Pikeville instead of constructing a water treatment plant. This will be a major change in the application as filed June 27, 1986.

By statutory requirement, the Commission must render its final decisions in this matter within 10 months of the filing

date. The remaining 5 months of this statutory requirement may not provide adequate time for completion of final plans, securing the required approvals for construction purposes, advertising for construction bids, holding a public hearing and proper attention to other significant matters.

Subsequent to the filing date, Marrowbone was merged with three other Pike County Water Districts creating the Mountain Water District. A motion was filed November 3, 1986, to retain this matter on the Commission's docket and for a change in the styling to show Mountain Water District as the applicant: "Motion To Retain Case On Docket With Change Of Styling". The motion did not provide any schedules or commitments for the filing of final plans and the other documents required for an adequate review and final decision on this matter within the remaining 5 months of docket time. This failure to address the time constraints requires that the motion be dismissed without prejudice.

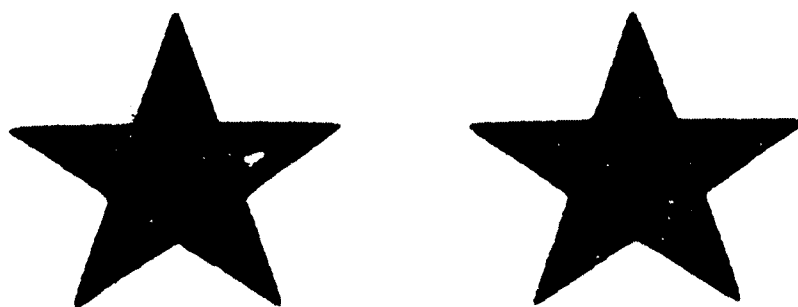
The Commission, having duly considered this matter and being advised, is of the opinion and finds that:

1. The "Motion To Retain Case On Docket With Change Of Styling" should be denied.
2. Marrowbone's application should be dismissed without prejudice.

IT IS THEREFORE ORDERED that:

1. The "Motion To Retain Case On Docket With Change Of Styling" be and it hereby is denied.
2. The application submitted June 27, 1986, by Marrowbone be and it hereby is dismissed without prejudice.

CORRECTION



***PRECEDING IMAGE HAS BEEN
REFILMED
TO ASSURE LEGIBILITY OR TO
CORRECT A POSSIBLE ERROR***

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The Commission, having duly considered this matter and being advised, is of the opinion and finds that:

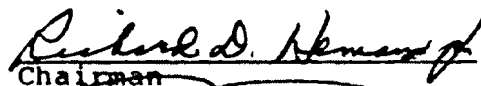
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2. Marrowbone's application should be dismissed without prejudice.

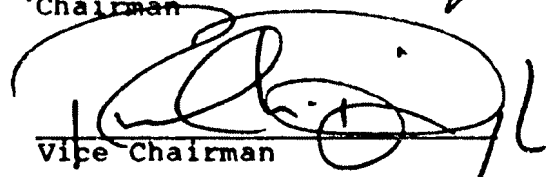
IT IS THEREFORE ORDERED that:

1. The "Motion To Retain Case On Docket With Change Of Styling" be and it hereby is denied.
2. The application submitted June 27, 1986, by Marrowbone be and it hereby is dismissed without prejudice.

Done at Frankfort, Kentucky, this 9th day of December, 1986.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director