

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE JOINT PETITION OF KENTUCKY-AMERICAN ]  
WATER COMPANY, THAMES WATER AQUA ]  
HOLDINGS GmbH, RWE AKTIENGESELLSCHAFT ] Case No. 2002-00317  
THAMES WATER AQUA US HOLDINGS, INC., ]  
APOLLO ACQUISITION COMPANY, AND AMERICAN ]  
WATER WORKS COMPANY, INC. FOR APPROVAL ]  
OF A CHANGE OF CONTROL OF KENTUCKY- ]  
AMERICAN WATER COMPANY ]

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MOTION OF BLUEGRASS FLOW, INC.  
TO DISMISS

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Comes Bluegrass FLOW, Inc. and joins in the Motion to Dismiss filed by the Lexington-Fayette Urban County Government and prays the Commission to dismiss the Joint Application herein, without prejudice to a new filing when the Commission regains jurisdiction, for the reasons set forth in the Memorandum of Bluegrass FLOW, Inc. filed contemporaneously herewith and as set forth in the Memorandum of the Urban County Government.

Respectfully submitted,

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NOTICE AND CERTIFICATE OF SERVICE

Counsel gives notice that the original and three copies of this document have been filed with the Public Service Commission by sending same by first class mail, postage prepaid, to Mr. Thomas M. Dorman, Executive Director, Public Service Commission, 211 Sower Blvd., Frankfort, KY 40611, by uploading this document (together with the required Index and Read1st documents) to the file transfer protocol site designated by the Executive Director, and by service of a hardcopy of same upon the individuals listed below on this the 18<sup>th</sup> day of September, 2002. Counsel also certifies that the electronic version has been transferred to the Commission, and the Commission and other parties have been notified by electronic mail that the electronic version has been transmitted to the Commission.

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