

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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|----------------------------------------------|---|------------|
| APPLICATION OF OHIO COUNTY WATER |) | |
| DISTRICT FOR (1) ISSUANCE OF A CERTIFICATE |) | |
| OF PUBLIC CONVENIENCE AND NECESSITY |) | |
| FOR CONSTRUCTION OF THE SERIES III WATER |) | |
| SYSTEM IMPROVEMENTS; (2) AUTHORIZATION |) | CASE NO. |
| TO ISSUE SERIES III REVENUE BONDS IN THE |) | 2003-00034 |
| AMOUNT OF \$1,890,000; AND (3) AUTHORIZATION |) | |
| TO ADJUST RATES TO PAY FOR THE |) | |
| ADDITIONAL INDEBTEDNESS |) | |

O R D E R

On May 5, 2003, Ohio County Water District (“Ohio County”) filed a petition with the Commission seeking a general adjustment of its existing water rates. On May 15, 2003, this case was established as a special, electronically filed case, and the Attorney General of the Commonwealth of Kentucky was made a party to the proceedings. On September 9, 2003, Jacqueline L. Mitchell (“Mitchell”) was granted full intervention in the case and, in response to an Order dated September 19, 2003, requested a formal hearing in this matter.

On October 9, 2003, an Order was entered scheduling an informal conference for October 15, 2003 and setting a formal hearing for October 31, 2003. At the informal conference Ohio County presented a letter accepting the recommendations of Commission Staff as contained in the Amended Staff Report filed on October 2, 2003.

Mitchell indicated at the informal conference that she would inform the Commission if she still wished a formal hearing. On October 21, 2003, Mitchell informed the Commission by e-mail to staff that she wished to waive the formal hearing. While the waiver of Mitchell was not submitted according to the procedure in place for electronic case filing, we shall consider Mitchell's waiver as filed in the record. On October 21, 2003, Ohio County electronically filed a waiver of formal hearing and acceptance of the Amended Staff Report.

We find that, based upon the filing by Ohio County and the waiver filed by Mitchell, the formal hearing scheduled for October 31, 2003 should be canceled and the matter stand submitted to the Commission for a decision upon the record.

Therefore, the Commission, having considered the record herein and being sufficiently advised, HEREBY ORDERS that:

1. The formal hearing scheduled for October 31, 2003 is canceled.
2. This matter now stands submitted to the Commission.

Done at Frankfort, Kentucky, this 23rd day of October, 2003.

By the Commission

ATTEST:


Executive Director