



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
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Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
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psc.ky.gov

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

Charles R. Borders
Commissioner

December 28, 2009

Mr. Merle Brewer
Henry County Water District No. 2
P. O. Box 219
Campbellsburg, Kentucky 40011

Mr. James Simpson
Henry County Water District No. 2
P. O. Box 219
Campbellsburg, Kentucky 40011

David Edward Spenard, Esq.
Office of Rate Intervention
1024 Capital Center Drive
Suite 200
Frankfort, Kentucky 40601-8204

D. Berry Baxter, Esq.
117 West Main Street
La Grange, Kentucky 40031

Re: Case No. 2009-00370
Henry County Water District No. 2

Gentlemen:

The enclosed memorandum has been filed in the record of the above-referenced case. Any comments regarding this memorandum's contents should be submitted to the Commission within five days of receipt of this letter. Any questions regarding this memorandum should be directed to Gerald Wuetcher, Commission Counsel, at (502) 564-3940, Extension 259.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen".

Jeff Derouen
Executive Director

gw
Enclosure

INTRA-AGENCY MEMORANDUM

KENTUCKY PUBLIC SERVICE COMMISSION

TO: Case File No. 2008-00370

FROM: Gerald Wuetcher
Attorney/Executive Advisor

DATE: December 28, 2009

RE: Telephone Conference Call of November 30, 2009

On November 30, 2009, Commission Staff conducted a conference call in this case. Participating were:

Tom Green	-	Henry County Water District No. 2
Carryn Lee	-	Henry County Water District No. 2
James Simpson	-	Henry County Water District No. 2
David Spenard	-	Office of Attorney General
Eddie Beavers	-	Commission Staff
Scott Lawless	-	Commission Staff
Sam Reid	-	Commission Staff
James Rice	-	Commission Staff
Gerald Wuetcher	-	Commission Staff

Commission Staff requested the conference call. The electronic mail message traffic regarding the conference call arrangements is attached as Exhibit 1 to this memorandum.

Beginning the conference, Mr. Wuetcher stated that Commission Staff would prepare minutes of the conference for the case record, that a copy of these minutes would be provided to all parties, and that all parties would be given an opportunity to submit written comments upon those minutes.

Mr. Wuetcher began a discussion of potential deficiencies in Henry County Water District No. 2's ("Henry District") application. A list of these deficiencies (Exhibit 2) had been electronically provided to all participants prior to the meeting. Mr. Wuetcher noted that the water district was a corporate entity and required an attorney to submit an application to the Commission. He suggested that the water district's counsel make an entry of appearance in the proceeding or that a revised application be submitted that was signed by the water district's counsel.

Mr. Wuetcher noted that, while the application contained written testimony, this testimony has focused solely on the proposed system development charge and did not

address any adjustment in general rates. Mr. Simpson and Mr. Green stated that Ms. Lee prepared the portions of the application related to the general rate adjustment and would addressing questions regarding those portions at any hearing. Mr. Wuetcher suggested that the application also contain testimony from Ms. Lee, even if the testimony was limited to explaining her qualifications and adopting the exhibits that support the proposed general rate adjustment.

Commission Staff noted that the application failed to contain an operating budget for each period encompassing pro forma adjustments. Mr. Simpson, Mr. Green and Ms. Lee stated that this information was difficult to obtain and inquired whether a deviation could be granted from this requirement. Mr. Lawless advised that the Commission has generally granted such requests for deviation when the information contained in the water utility's most recently filed annual report remains relevant and no material changes have occurred in the water utility's financial condition since the report's filing. Mr. Wuetcher suggested that any request for deviation be filed with any supplemental or amended application that Henry District files.

The participants briefly discussed deficiencies related to the proposed system development charge. Mr. Wuetcher stated that these deficiencies could be cured with a specific request for a deviation from 807 KAR 5:090. He suggested that any request for deviation note that the filing requirements at issue are relevant only if the incremental methodology is used. Henry District's proposed system development charge is based upon the equity methodology.

Mr. Wuetcher stated that most of the deficiencies (the shaded portions of Exhibit 2)¹ are related to the water district's request for a certificate of public convenience and necessity for new facilities and for authority to issue bonds to Rural Development ("RD") to finance those facilities. He asked whether RD had already issued a letter of conditions regarding the funding and why the water district was not applying for the requested relief pursuant to KRS 278.023. Mr. Green and Mr. Simpson stated that the water district had yet to file an application with RD and that final RD action on any application was not expected for several months. They further stated that RD officials had advised them that RD would not require a system development charge as part of any schedule of rates contained in a letter of conditions. Moreover, they stated, the water district wished to avoid adverse public reaction to two separate rate proceedings and two rate increases.

The participants spoke at length about the possibility of two separate proceedings and synchronizing the final action in both cases to ensure that customers would face only one increase in rates. Mr. Wuetcher stated that synchronizing the

¹ The list that Commission Staff originally provided to the conference participants did not contain any shaded areas. The shading was added to the list after the conference to reflect the conference discussion. Except for the shading, the list does not differ from that provided to conference participants before the conference.

proceedings would be difficult and, given that KRS 278.023 permits RD to override any Commission decision on rates, some might question the need for such synchronization. Commission Staff also suggested that, given possible uncertainty as to when RD may act upon Henry District's application for funding and the potential delays by including the request for the certificate and authority to issue bonds in the present application, the water district may wish to defer those items until its application with the RD has been filed and approved. Mr. Simpson stated that he would bring the matter to the attention of Henry District's Board of Commissioners when it met on December 7, 2009.

Representatives of Henry District and Commission Staff agreed that, if the application is amended to remove the request for a certificate and authority to issue bonds, significant changes to the remaining portions of the application would be required and that the proposed rates would be affected.

The conference then adjourned.

On December 10, 2009, Mr. Simpson notified Commission Staff by electronic mail that the members of Henry District's Board of Commissioners had voted to amend the water district's application to remove those portions related to the certificate and authority for issuance of bonds (Exhibit 3). He further advised Commission that a revised application would be forthcoming.

cc: Parties of Record

Wuetcher, Jerry (PSC)

EXHIBIT

1-A

From: Wuetcher, Jerry (PSC)
Sent: Tuesday, November 24, 2009 3:14 PM
To: 'baxterlaw@me.com'; 'Damon Talley'; Carryn Lee (cjlee52@roadrunner.com); Green, Tom; Green, Tom; jamestsimpson@att.net
Cc: Lawless, Scott (PSC); Rice, James D (PSC); Reid, Sam H (PSC); Jones, Dennis E (PSC); Osterloh, Todd (PSC); Beavers, Eddie (PSC); Wakim, George W (PSC); Spenard, David (KYOAG)
Subject: Case No. 2009-00372: Henry County Water District No. 2

Commission Staff's review of HCWD2's application has revealed several deficiencies. Commission Staff would like to have a telephone conference call with the utility and all persons who are involved in the preparation of the application to discuss these deficiencies and the actions necessary to cure them. Would HCWD2 be available for a conference call on Monday morning (30 Nov 2009)?

Sincerely,

Gerald E. Wuetcher
Executive Advisor
Public Service Commission of Kentucky
(502) 564-3940, Extension 259
(502) 229-6500 (cell)
gerald.wuetcher@ky.gov

Tracking:	Recipient	Read
	'baxterlaw@me.com'	
	'Damon Talley'	
	Carryn Lee (cjlee52@roadrunner.com)	
	Green, Tom	
	Green, Tom	
	jamestsimpson@att.net	
	Lawless, Scott (PSC)	
	Rice, James D (PSC)	Read: 11/24/09 3:31 PM
	Reid, Sam H (PSC)	Read: 11/24/09 3:29 PM
	Jones, Dennis E (PSC)	Read: 11/25/09 8:51 AM
	Osterloh, Todd (PSC)	Read: 11/24/09 3:16 PM
	Beavers, Eddie (PSC)	Read: 11/24/09 3:40 PM
	Wakim, George W (PSC)	Read: 11/24/09 4:11 PM
	Spenard, David (KYOAG)	Read: 11/25/09 8:42 AM

Wuetcher, Jerry (PSC)

EXHIBIT

1-B

From: Spenard, David (KYOAG) [david.spenard@ag.ky.gov]
Sent: Wednesday, November 25, 2009 8:43 AM
To: Wuetcher, Jerry (PSC); baxterlaw@me.com; Damon Talley; cjlee52@roadrunner.com; Green, Tom; Green, Tom; jamestsimpson@att.net
Cc: Lawless, Scott (PSC); Rice, James D (PSC); Reid, Sam H (PSC); Jones, Dennis E (PSC); Osterloh, Todd (PSC); Beavers, Eddie (PSC); Wakim, George W (PSC)
Subject: RE: Case No. 2009-00372: Henry County Water District No. 2

Good morning.

I would like to participate in the call. I am available on Monday, November 30th, from 8:30 a.m. until Noon.

Regards,

David

From: Wuetcher, Jerry (PSC) [mailto:JWuetcher@ky.gov]
Sent: Tuesday, November 24, 2009 3:14 PM
To: baxterlaw@me.com; Damon Talley; cjlee52@roadrunner.com; Green, Tom; Green, Tom; jamestsimpson@att.net
Cc: Lawless, Scott (PSC); Rice, James D (PSC); Reid, Sam H (PSC); Jones, Dennis E (PSC); Osterloh, Todd (PSC); Beavers, Eddie (PSC); Wakim, George W (PSC); Spenard, David (KYOAG)
Subject: Case No. 2009-00372: Henry County Water District No. 2

Commission Staff's review of HCWD2's application has revealed several deficiencies. Commission Staff would like to have a telephone conference call with the utility and all persons who are involved in the preparation of the application to discuss these deficiencies and the actions necessary to cure them. Would HCWD2 be available for a conference call on Monday morning (30 Nov 2009)?

Sincerely,

Gerald E. Wuetcher
Executive Advisor
Public Service Commission of Kentucky
(502) 564-3940, Extension 259
(502) 229-6500 (cell)
gerald.wuetcher@ky.gov

Wuetcher, Jerry (PSC)

**EXHIBIT
1-C**

From: Green, Tom [Thomas.Green@tetrattech.com]
Sent: Wednesday, November 25, 2009 8:45 AM
To: Wuetcher, Jerry (PSC); baxterlaw@me.com; Damon Talley; cjlee52@roadrunner.com; jamestsimpson@att.net
Cc: Lawless, Scott (PSC); Rice, James D (PSC); Reid, Sam H (PSC); Jones, Dennis E (PSC); Osterloh, Todd (PSC); Beavers, Eddie (PSC); Wakim, George W (PSC); Spenard, David (KYOAG)
Subject: RE: Case No. 2009-00372: Henry County Water District No. 2

Mr. Wuetcher,

I will be available on Monday morning November 30 for the conference call. My direct office line is (859) 514-8801.

Thanks,

Tom Green

From: Wuetcher, Jerry (PSC) [mailto:JWuetcher@ky.gov]
Sent: Tuesday, November 24, 2009 3:14 PM
To: baxterlaw@me.com; Damon Talley; cjlee52@roadrunner.com; Green, Tom; Green, Tom; jamestsimpson@att.net
Cc: Lawless, Scott (PSC); Rice, James D (PSC); Reid, Sam H (PSC); Jones, Dennis E (PSC); Osterloh, Todd (PSC); Beavers, Eddie (PSC); Wakim, George W (PSC); Spenard, David (KYOAG)
Subject: Case No. 2009-00372: Henry County Water District No. 2

Commission Staff's review of HCWD2's application has revealed several deficiencies. Commission Staff would like to have a telephone conference call with the utility and all persons who are involved in the preparation of the application to discuss these deficiencies and the actions necessary to cure them. Would HCWD2 be available for a conference call on Monday morning (30 Nov 2009)?

Sincerely,

Gerald E. Wuetcher
Executive Advisor
Public Service Commission of Kentucky
(502) 564-3940, Extension 259
(502) 229-6500 (cell)
gerald.wuetcher@ky.gov

Wuetcher, Jerry (PSC)

**EXHIBIT
1-D**

From: jimmy simpson [jamestsimpson@att.net]
Sent: Wednesday, November 25, 2009 9:02 AM
To: Wuetcher, Jerry (PSC); baxterlaw@me.com; Damon Talley; cjlee52@roadrunner.com; Green, Tom; Green, Tom
Cc: Lawless, Scott (PSC); Rice, James D (PSC); Reid, Sam H (PSC); Jones, Dennis E (PSC); Osterloh, Todd (PSC); Beavers, Eddie (PSC); Wakim, George W (PSC); Spenard, David (KYOAG)
Subject: Re: Case No. 2009-00372: Henry County Water District No. 2

Yes I will be available on Monday 11-30-09. My phone number is 502-532-7025.

----- Original Message -----

From: Wuetcher, Jerry (PSC)
To: baxterlaw@me.com ; Damon Talley ; cjlee52@roadrunner.com ; Green, Tom ; Green, Tom ; jamestsimpson@att.net
Cc: [Lawless, Scott \(PSC\)](mailto:Lawless, Scott (PSC)) ; [Rice, James D \(PSC\)](mailto:Rice, James D (PSC)) ; [Reid, Sam H \(PSC\)](mailto:Reid, Sam H (PSC)) ; [Jones, Dennis E \(PSC\)](mailto:Jones, Dennis E (PSC)) ; [Osterloh, Todd \(PSC\)](mailto:Osterloh, Todd (PSC)) ; [Beavers, Eddie \(PSC\)](mailto:Beavers, Eddie (PSC)) ; [Wakim, George W \(PSC\)](mailto:Wakim, George W (PSC)) ; [Spenard, David \(KYOAG\)](mailto:Spenard, David (KYOAG))
Sent: Tuesday, November 24, 2009 3:13 PM
Subject: Case No. 2009-00372: Henry County Water District No. 2

Commission Staff's review of HCWD2's application has revealed several deficiencies. Commission Staff would like to have a telephone conference call with the utility and all persons who are involved in the preparation of the application to discuss these deficiencies and the actions necessary to cure them. Would HCWD2 be available for a conference call on Monday morning (30 Nov 2009)?

Sincerely,

Gerald E. Wuetcher
Executive Advisor
Public Service Commission of Kentucky
(502) 564-3940, Extension 259
(502) 229-6500 (cell)
gerald.wuetcher@ky.gov

Wuetcher, Jerry (PSC)

EXHIBIT
1-E

From: Carryn Lee [cjlee52@roadrunner.com]
Sent: Wednesday, November 25, 2009 10:35 AM
To: Wuetcher, Jerry (PSC); baxterlaw@me.com; 'Damon Talley'; 'Green, Tom'; 'Green, Tom'; jamestsimpson@att.net
Cc: Lawless, Scott (PSC); Rice, James D (PSC); Reid, Sam H (PSC); Jones, Dennis E (PSC); Osterloh, Todd (PSC); Beavers, Eddie (PSC); Wakim, George W (PSC); Spenard, David (KYOAG)
Subject: RE: Case No. 2009-00372: Henry County Water District No. 2

I will be available on Monday. 859-238-0283



From: Wuetcher, Jerry (PSC) [mailto:JWuetcher@ky.gov]
Sent: Tuesday, November 24, 2009 3:14 PM
To: baxterlaw@me.com; Damon Talley; cjlee52@roadrunner.com; Green, Tom; Green, Tom; jamestsimpson@att.net
Cc: Lawless, Scott (PSC); Rice, James D (PSC); Reid, Sam H (PSC); Jones, Dennis E (PSC); Osterloh, Todd (PSC); Beavers, Eddie (PSC); Wakim, George W (PSC); Spenard, David (KYOAG)
Subject: Case No. 2009-00372: Henry County Water District No. 2

Commission Staff's review of HCWD2's application has revealed several deficiencies. Commission Staff would like to have a telephone conference call with the utility and all persons who are involved in the preparation of the application to discuss these deficiencies and the actions necessary to cure them. Would HCWD2 be available for a conference call on Monday morning (30 Nov 2009)?

Sincerely,

Gerald E. Wuetcher
Executive Advisor
Public Service Commission of Kentucky
(502) 564-3940, Extension 259
(502) 229-6500 (cell)
gerald.wuetcher@ky.gov

Wuetcher, Jerry (PSC)

EXHIBIT

1-F

From: Wuetcher, Jerry (PSC)
Sent: Wednesday, November 25, 2009 2:40 PM
To: Carryn Lee (cjlee52@roadrunner.com); D. Berry Baxter (baxterlaw@me.com); drtalley@windstream.net; Green, Tom; jimmy simpson; Spenard, David (KYOAG)
Cc: Lawless, Scott (PSC); Jones, Dennis E (PSC); Osterloh, Todd (PSC); Reid, Sam H (PSC); Beavers, Eddie (PSC); Rice, James D (PSC)
Subject: Telephone Conference Call

A conference call has been scheduled in Case No. 2009-00370 for 30 November 2009 beginning at 10:30 a.m. A list of the possible deficiencies that Commission Staff has found in the application will be forwarded to you by e-mail before the conference.

Sincerely,

Gerald E. Wuetcher
Executive Advisor
Public Service Commission of Kentucky
(502) 564-3940, Extension 259
(502) 229-6500 (cell)
gerald.wuetcher@ky.gov

Tracking:	Recipient	Read
	Carryn Lee (cjlee52@roadrunner.com)	
	D. Berry Baxter (baxterlaw@me.com)	
	drtalley@windstream.net	
	Green, Tom	
	jimmy simpson	
	Spenard, David (KYOAG)	Read: 11/25/09 2:49 PM
	Lawless, Scott (PSC)	Read: 11/25/09 2:41 PM
	Jones, Dennis E (PSC)	
	Osterloh, Todd (PSC)	Read: 11/25/09 2:40 PM
	Reid, Sam H (PSC)	
	Beavers, Eddie (PSC)	
	Rice, James D (PSC)	

Wuetcher, Jerry (PSC)

From: Berry Baxter [baxterlaw@me.com]
Sent: Wednesday, November 25, 2009 4:22 PM
To: Wuetcher, Jerry (PSC)
Cc: cjlee52@roadrunner.com; drtalley@windstream.net; Green, Tom; jimmy simpson; Spenard, David (KYOAG); Lawless, Scott (PSC); Jones, Dennis E (PSC); Osterloh, Todd (PSC); Reid, Sam H (PSC); Beavers, Eddie (PSC); Rice, James D (PSC)
Subject: Re: Telephone Conference Call

EXHIBIT
1-G

Please forward a copy of the email to me. I am unable to participate in the conference call but my client is willing to go forward without my involvement. Thanks.

Sent from my iPhone

On Nov 25, 2009, at 2:39 PM, "Wuetcher, Jerry (PSC)" <JWuetcher@ky.gov> wrote:

A conference call has been scheduled in Case No. 2009-00370 for 30 November 2009 beginning at 10:30 a.m. A list of the possible deficiencies that Commission Staff has found in the application will be forwarded to you by e-mail before the conference.

Sincerely,

Gerald E. Wuetcher
Executive Advisor
Public Service Commission of Kentucky
(502) 564-3940, Extension 259
(502) 229-6500 (cell)
gerald.wuetcher@ky.gov

Wuetcher, Jerry (PSC)

EXHIBIT

1-H

From: Wuetcher, Jerry (PSC)
Sent: Sunday, November 29, 2009 7:39 AM
To: Carryn Lee (cjlee52@roadrunner.com); D. Berry Baxter (baxterlaw@me.com);
drtalley@windstream.net; Green, Tom; jimmy simpson; Spenard, David (KYOAG)
Cc: Lawless, Scott (PSC); Jones, Dennis E (PSC); Osterloh, Todd (PSC); Reid, Sam H (PSC);
Beavers, Eddie (PSC); Rice, James D (PSC)
Subject: RE: Telephone Conference Call



2009-00370_Table
OfFilingDefici...

Attached is a listing of the deficiencies that Commission Staff has found in Henry District's application. Commission Staff intends to discuss each during the conference call. Commission Staff also requests that Henry District's representatives be prepared to discuss the Rural Development financing that is referenced in the application.

Sincerely,

Gerald E. Wuetcher
Executive Advisor
Public Service Commission of Kentucky
(502) 564-3940, Extension 259
(502) 229-6500 (cell)
gerald.wuetcher@ky.gov

**CASE NO. 2009-00370
FILING DEFICIENCIES IN APPLICATION**

EXHIBIT
2

Law/Regulation	Requirement
	Attorney has not signed application. Attorney does not represent Applicant (no formal entry of appearance).
807 KAR 5:001, Section 10(6)(b)(c)	Testimony of each witness who will support the application. Only testimony filed supports only the application for system development charge, not the request for general rate adjustment.
807 KAR 5:001, Section 10(7)(c)	For each proposed pro forma adjustment reflecting plant additions, amount contained in construction work in progress at end of test period.
807 KAR 5:001, Section 10(7)(c)	For each proposed pro forma adjustment reflecting plant additions, the starting date of the construction of each major plant component.
807 KAR 5:001, Section 10(7)(c)	For each proposed pro forma adjustment reflecting plant additions, the proposed in-service date.
807 KAR 5:001, Section 10(7)(c)	For each proposed pro forma adjustment reflecting plant additions, the total estimated cost of construction at completion.
807 KAR 5:001, Section 10(7)(c)	For each proposed pro forma adjustment reflecting plant additions, complete description of actual plant retirements and anticipated plant retirements related to the pro forma plant additions including the actual or anticipated date of retirement.
807 KAR 5:001, Section 10(7)(c)	For each proposed pro forma adjustment reflecting plant additions, original cost, cost of removal and salvage for each component of plant to be retired during the period of the proposed pro forma adjustment for plant operations.
807 KAR 5:001, Section 10(7)(c)	For each proposed pro forma adjustment reflecting plant additions, an explanation of any differences in amounts contained in the capital construction budget and amounts of capital construction cost contained in the pro forma adjustment period
807 KAR 5:001, Section 10(7)(c)	For each proposed pro forma adjustment reflecting plant additions, impact on depreciation expense of all proposed pro forma adjustments for plant additions and retirements.
807 KAR 5:001, Section 10(7)(d)	Operating budget for each month of period encompassing the pro forma adjustments
807 KAR 5:001, Section 11(1)(a)	Description of applicant's property

807 KAR 5:001, Section 11(1)(a)	Statement of the original cost of applicant's property and the cost to the applicant, if different
807 KAR 5:001, Section 11(1)(b)	Description of the amount(s) of Bonds or Notes or Other Indebtedness to be issued
807 KAR 5:001, Section 11(1)(b)	Full description of all terms of the bonds or notes or other indebtedness to be issued
807 KAR 5:001, Section 11(1)(b)	Statement of the interest rate of the bonds or notes or other indebtedness to be issued
807 KAR 5:001, Section 11(1)(b)	Statement of whether the debt is to be secured and, if secured, a description of the security interest and the means of security
807 KAR 5:001, Section 11(2)(b)	Copy of all trust deeds or mortgages (or the number of PSC case in which such documents previously filed
807 KAR 5:001, Section 11(2)(c)	If property to be acquired, maps and plans of the property
807 KAR 5:001, Section 11(2)(c)	If property to be acquired, detailed estimates by USOA account number
807 KAR 5:001, Section 9(2)	A full description of the proposed location of the proposed location of the new facility, including a description of the manner in which the new facility will be constructed
807 KAR 5:001, Section 9(2)	Three (3) maps to suitable scale (preferably not more than two (2) miles per inch showing the location of the new facility as well as the location to scale of any like facilities owned by others located anywhere within the map area with adequate identification as to the ownership of such other facilities
KRS 322.340	Engineering plans, specifications, plats and report for the proposed construction. All engineering documents must be signed, sealed and dated by an engineer registered with the Commonwealth of Kentucky.
807 KAR 5:069, Section 1(2)	Copy of the documents from Rural Development (RD) stating approval of the project and including the terms and conditions to be met
807 KAR 5:069, Section 1(2)	Copy of the letter of concurrence in bid award
807 KAR 5:069, Section 1(2)	Copy of the preliminary and final engineering reports
807 KAR 5:069, Section 1(2)	Certified statement from an authorized utility official confirming that the proposed plans and specifications have been designed to meet the minimum construction and operating requirements set out in 807 KAR 5:066, Section 4(3) and (4); Section 5(1); Sections 6 and 7; Section 8(1) – 8(3); Section 9(1); and Section 10
807 KAR 5:069, Section 1(2)	Certified statement from an authorized utility official confirming that any proposed rates will produce the total revenue requirements set out in the engineering reports
807 KAR 5:069, Section 1(2)	Certified statement from an authorized utility official confirming the dates upon which construction will begin and end
807 KAR 5:090, Section 3(2)	A statement of the reason the system development charge is required

807 KAR 5:090, Section 3(6)	Capital Improvement Plan (Covered under General Request for Deviation-?)
807 KAR 5:090, Section 3(7)	A statement describing when the proposed system development charge will be assessed and explaining why the proposed time for assessment is reasonable
807 KAR 5:090, Section 3(8)	Statement that notice given in compliance with 807 KAR 5:090, Sections 6 and 7
807 KAR 5:090, Section 6	Notice of SDC shall contain statement that "Any person may examine the rate application and any other filing made by (the water utility) at (the main office of the water utility) or at the commission's office at 211 Sower Boulevard, Frankfort, Kentucky 40601".
807 KAR 5:090, Section 6	Notice must state utility's address.

Wuetcher, Jerry (PSC)

From: jimmy simpson [jamestsimpson@att.net]
Sent: Thursday, December 10, 2009 12:12 PM
To: Wuetcher, Jerry (PSC)
Subject: removing RD projects from application

EXHIBIT
3

Dear Mr. Wuetcher,

The Board of Directors of the Henry Co. Water District decided at the regular meeting on 12-08-09 to remove the new RD projects in the rate case application. All other deficiencies are being corrected and the revised application will be forthcoming. If you have any questions please send an e-mail or give me a call.

Sincerely,
J.Simpson