

Statutory & Regulatory Requirements Index

Statute/Regulation	Requirement	Location in Application
General Requirements		
807 KAR 5:001 § 14(1)	Applicant's full name, mailing address, and electronic mail address	¶ 1
807 KAR 5:001 § 14(1)	Request for the order, authorization, permission, or certificate desired	¶ 21
807 KAR 5:001 § 14(1)	Reference to particular law requiring or providing for the information	¶ 12
807 KAR 5:001 § 14(2)	State and date of incorporation; attestation that applicant is currently in good standing in state of incorporation.	¶ 2
Requirements for Approval to Issue Evidences of Indebtedness		
807 KAR 5:001 § 18(1)(a)	The information required by Section 14 of this administrative regulation.	<i>See above.</i>
807 KAR 5:001 § 18(1)(b)	A general description of the applicant's property and the field of its operation, together with a statement of the original cost of the same and the cost to the applicant.	¶¶ 5, 10, 13, Ex. 10(a)
807 KAR 5:001 § 18(1)(c)	The amount and kinds of stock, if any, which the utility desires to issue, and if preferred, the nature and extent of the preference; the amount of notes, bonds, or other evidences of indebtedness, if any, which the utility desires to issue, with terms, rate of interest, and if and how to be secured.	Ex. 17
807 KAR 5:001 § 18(1)(d)	The use to be made of the proceeds of the issue of securities, notes, bonds, stocks, or other evidences of indebtedness with a statement indicating how much is to be used for the acquisition of property, the construction, completion, extension or improvement of facilities, the improvement of service, the maintenance of service, and the discharge or refunding of obligations.	¶¶ 7-10, 20

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<p>807 KAR 5:001 § 18(1)(e)</p>	<p>The property in detail that is to be acquired, constructed, improved, or extended with its cost, a detailed description of the contemplated construction, completion, extension, or improvement of facilities established in a manner whereby an estimate of the cost may be made, a statement of the character of the improvement of service proposed, and of the reasons why the service should be maintained from its capital. If a contract has been made for the acquisition of property, or for construction, completion, extension, or improvement of facilities, or for the disposition of the securities, notes, bonds, stocks, or other evidence of indebtedness that it proposes to issue or the proceeds thereof and if a contract has been made, copies thereof shall be annexed to the application.</p>	<p>¶¶ 8-10; Ex. 10(a)</p>
<p>807 KAR 5:001 § 18(1)(f)</p>	<p>If it is proposed to discharge or refund obligations, a statement of the nature and description of the obligations including their par value, the amount for which they were actually sold, the associated expenses, and the application of the proceeds from the sales. If notes are to be refunded, the application shall show the date, amount, time, rate of interest, and payee of each and the purpose for which their proceeds were expended.</p>	<p>N/A</p>
<p>807 KAR 5:001 § 18(1)(g)</p>	<p>If the applicant is a water district, a copy of the applicant's written notification to the state local debt officer regarding the proposed issuance.</p>	<p>N/A</p>
<p>807 KAR 5:001 § 18(2)(a)</p>	<p>Financial exhibits</p>	<p>Ex. 15(a) & 15(b)</p>

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807 KAR 5:001 § 18(2)(b)	Copies of trust deeds or mortgages, if applicable, unless they have already been filed with the commission, in which case reference shall be made by case number to the proceeding in which the trust deeds or mortgages have been filed.	None
807 KAR 5:001 § 18(2)(c)	Maps and plans of the proposed property and constructions together with detailed estimates in a form that they can be reviewed by the commission's engineering division. Estimates shall be arranged according to the commission-prescribed uniform system of accounts for the various classes of utilities.	¶¶ 10(a)(iii), (b)(iii), (c)(iii), (d)(iii); Ex. 10(b)
Financial Exhibit		
807 KAR 5:001 § 12(1)	(a) For a utility that had \$5,000,000 or more in gross annual revenue in the immediate past calendar year, cover operations for a twelve (12) month period, the period ending not more than ninety (90) days prior to the date the application is filed; or (b) For a utility that had less than \$5,000,000 in gross annual revenue in the immediate past calendar year, comply with paragraph (a) of this subsection or cover operations for the twelve (12) month period contained in the utility's most recent annual report on file with the commission, and contain a statement that: 1. Material changes have not occurred since the end of that twelve (12) month period; or 2. Identifies all material changes that have occurred since the end of that twelve (12) month period.	Ex. 15(b)
807 KAR 5:001 § 12(2)	The exhibit shall disclose the following information in the order indicated: (a) The amount and kinds of stock authorized; (b) The amount and kinds of stock issued and outstanding;	Ex. 15(a)

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	<p>(c) Terms of preference of preferred stock, cumulative or participating, or on dividends or assets or otherwise;</p> <p>(d) A brief description of each mortgage on property of applicant, giving date of execution, name of mortgagor, name of mortgagee or trustee, amount of indebtedness authorized to be secured, and the amount of indebtedness actually secured, together with sinking fund provisions, if applicable;</p> <p>(e) The amount of bonds authorized and amount issued, giving the name of the public utility that issued the same, describing each class separately and giving the date of issue, face value, rate of interest, date of maturity, and how secured, together with amount of interest paid during the last fiscal year;</p> <p>(f) Each note outstanding, giving date of issue, amount, date of maturity, rate of interest, in whose favor, together with amount of interest paid during the last fiscal year;</p> <p>(g) Other indebtedness, giving same by classes and describing security, if any, with a brief statement of the devolution or assumption of a portion of the indebtedness upon or by person or corporation if the original liability has been transferred, together with amount of interest paid during the last fiscal year;</p> <p>(h) The rate and amount of dividends paid during the five (5) previous fiscal years, and the amount of capital stock on which dividends were paid each year; and</p> <p>(i) A detailed income statement and balance sheet.</p>	
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