

## Statutory & Regulatory Requirements Index

Statute/Regulation	Requirement	Location in Application
<b>General Requirements</b>		
807 KAR 5:001 § 14(1)	Applicant’s full name, mailing address, and electronic mail address	¶ 4
807 KAR 5:001 § 14(1)	Request for the order, authorization, permission, or certificate desired	¶¶ 2, 3
807 KAR 5:001 § 14(1)	Reference to particular law requiring or providing for the information	¶ 7
807 KAR 5:001 § 14(2)	State and date of incorporation; attestation that applicant is currently in good standing in state of incorporation.	¶ 5
<b>Requirements for Certificate of Public Convenience and Necessity, 807 KAR 5:001</b>		
807 KAR 5:001 § 15(1), (4)	Requirements do not apply because Bluegrass Water is not bidding on a franchise, or renewing its application.	N/A
807 KAR 5:001 § 15(3)	Extensions in the Ordinary Course of Business	¶¶ 46 – 49
807 KAR 5:001 § 15(2)(a)	Facts relied upon to show that the proposed construction or extension is or will be required by public convenience or necessity.	¶¶ 32 – 45
807 KAR 5:001 § 15(2)(b)	Copies of franchises or permits, if any, from the proper public authority for the proposed construction or extension, if not previously filed with the Commission.	¶12, Ex. 1
807 KAR 5:001 § 15(2)(c)	A full description of the proposed location, route, or routes of the proposed construction or extension, including a description of the manner of the construction and the names of all public utilities, corporations, or persons with whom the proposed construction or extension is likely to compete.	¶¶ 13 – 14, 38 – 39, Ex. 1
807 KAR 5:001 § 15(2)(d)(1)	Maps to suitable scale showing the location or route of the proposed construction or extension, as well as the location to scale of like facilities owned by others located anywhere within the map area with adequate identification as to the ownership of the other facilities;	¶15, Ex. 1

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807 KAR 5:001 § 15(2)(d)(2)	Plans and specifications and drawings of the proposed plant, equipment and facilities;	¶ 16; Ex. 1
807 KAR 5:001 § 15(2)(e)	The manner in detail in which Bluegrass Water proposes to finance the proposed construction or extension;	¶¶ 17, 25
807 KAR 5:001 § 15(2)(f)	An estimated annual cost of operating the drain field equipment after the proposed facilities are placed into service.	¶¶ 18, 26
<b>Requirements for Certificate of Public Convenience and Necessity, 807 KAR 5:071 (Sewage)</b>		
807 KAR 5:071 § 3(1).	The information required by Sections 14 and 15 of this administrative regulation.	<i>See above.</i>
807 KAR 5:071 § 3(1)(a).	A copy of a valid third-party beneficiary agreement guaranteeing the continued operation of the wastewater treatment facilities or other evidence of financial integrity such as will insure the continuity of service;	¶ 20, Ex. 2
807 KAR 5:071 § 3(1)(b).	A copy of a preliminary approval issued by the Division of Water Quality of the Kentucky Department of Natural Resources and Environmental Protection approving the plans and specifications of the proposed construction.	N/A because the installation does not involve new construction. <i>See</i> ¶ 21.
807 KAR 5:071 § 3(1)(c).	A detailed map of the wastewater treatment facilities showing location of plant, effluent discharge, collection mains, manholes, and utility service area.	¶ 22, Ex. 1
807 KAR 5:071 § 3(1)(d).	A detailed estimate cost of construction, including all capitalized costs (construction, engineering, legal, administrative, etc.)	¶ 23, Ex. 3

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807 KAR 5:071 § 3(1)(e).	Financial exhibit as described in 807 KAR 5:001 § 12.	¶ 24, Exs. 4 (a), (b), (c)
807 KAR 5:071 § 3(1)(f).	The manner in detail in which it is proposed to finance the new construction, specifically stating the amount to be invested, recouped through lot sales, or of contributions (to be) received, etc.	¶ 25
807 KAR 5:071 § 3(1)(g).	Estimated cost of operation after the proposed facilities are completed.	¶¶ 18, 26
807 KAR 5:071 § 3(1)(h).	Estimate of the total number of customers to be served by the proposed sewage treatment facilities (initially and ultimately), the class of customers served, and the average monthly water consumption for each class of customer.	¶ 27
807 KAR 5:071 § 3(1)(i).	A copy of the latest tax returns (federal and state, if applicable) filed by the applicant.	N/A because Bluegrass Water is not presently seeking to adjust rates. 807 KAR § 3(1)(m).
807 KAR 5:071 § 3(1)(j).	A detailed depreciation schedule of all treatment plant, property, and facilities, both existing and proposed, listing all major components of “package;” treatment plants separately;	N/A because Bluegrass Water is not presently seeking to adjust rates. 807 KAR § 3(1)(m).
807 KAR 5:071 § 3(1)(k).	The proposed rates to be charged for each class of customers and an estimate of the annual revenues derived from the customers using the proposed rate schedules.	N/A because Bluegrass Water is not presently seeking to adjust rates. 807 KAR § 3(1)(m).
807 KAR 5:071 § 3(1)(l).	A full and complete explanation of corporate or business relationships between the applicant and a parent or brother-sister corporation, subsidiary(ies), a development corporation(s), or any other party or business, to afford the Commission a full and complete understanding of the situation.	¶ 29, Ex. 5

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<b>Financial Exhibit</b>		
807 KAR 5:001 § 12(1)	<p>(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</p> <p>(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:</p> <p>1. Material changes have not occurred since the end of that twelve (12) month period; or</p> <p>2. Identifies all material changes that have occurred since the end of that twelve (12) month period.</p>	¶ 30, Exs. 4(a), (b), (c)
807 KAR 5:001 § 12(2)	<p>The exhibit shall disclose the following information in the order indicated:</p> <p>(a) The amount and kinds of stock authorized;</p> <p>(b) The amount and kinds of stock issued and outstanding;</p> <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,</p>	Exs. 4(a), (b), (c)

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	<p>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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