



Steven L. Beshear
Governor

David L. Armstrong
Chairman

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

James Gardner
Vice Chairman

John W. Clay
Commissioner

April 24, 2009

Honorable Marvin W. Suit
Suit, McCartney & Price, PLLC
207 Court Square
Flemingsburg, KY 41041

RE: Case No 2009-00163
Filing Deficiencies

The Commission staff has reviewed your application in the above case. This filing is rejected for the reasons set forth below.

1. Filing deficiencies pursuant to 807 KAR 5:069:

807 KAR 5:069: Section 1(5)(a) Certified statement from an authorized utility official confirming: That the proposed plans and specifications for the project 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) through (3), Section 9(1) and Section 10

807 KAR 5:069: Section 1(5)(b) Certified statement from an authorized utility official confirming: That all other state approvals or permits have already been obtained;

807 KAR 5:069: Section 1(5)(c) Certified statement from an authorized utility official confirming: That any proposed rates shall produce the total revenue requirements set out in the engineering reports; and

807 KAR 5:069: Section 1(5)(d) Certified statement from an authorized utility official confirming: Dates upon which construction will begin and end.

807 KAR 5:069: Section 1(6) That notice to the customers has been given in conformance with Section 2 of this regulation.* A copy of the notice shall be included in the application.

RG/ke

The statutory time period in which the Commission must process this case will not commence until the above-mentioned information is filed with the Commission. If your filing contains a proposed effective date, the rejection of your filing for reasons of deficiencies voids that proposed effective date. When you file the required information to correct the deficiencies, you may refile your proposed tariff with a new proposed effective date that is at least 30 days from the date you file the required information. You are requested to file 10 copies of this information within 15 days of date of this letter. If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,


Ryan Gatewood, Director
Division of Filings

RG/ke