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December 7, 2009

Public Service Commission
P O Box 615
Frankfort, KY 40602

RE: Henry County Water District No. Two

The following document is enclosed for filing in your office:

Motion for Interim Relief (original and 10 copies)

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DEC 09 2009

PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TARIFF FILING OF HENRY COUNTY WATER DISTRICT #2
TO AMEND ITS POLICY REGARDING CERTIFICATION
OF WATER AVAILABILITY

Case No. 2009-00440

** ** * * * * * ** ** * * * * *

Motion for Interim Relief

Comes the Henry County Water District No. 2, and respectfully requests that the interim relief hereinafter requests be granted in an expedited fashion.

In Case No. 2006-00191 the Public Service Commission stated "To prevent any disparate treatment of customers that might result from the sudden termination of the Offsetting Improvement Charge, however, the Commission will permit Henry District to continue to assess the charge for 180 days from the date of this Order. This grace period will permit Henry District sufficient time to develop and to file with the Commission an alternative mechanism that comprehensively addresses the allocation of costs associated with customer growth."

The District has worked in good faith and with due diligence to resolve the many complex issues involved in the development, calculation, and implementation of an equity SDC, one which would specifically meet with the approval of the Commission. This is the first such charge to be submitted by a regulated water utility in Kentucky. There have been several delays due to

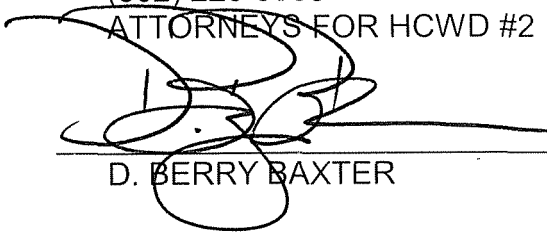
response times from those with whom the District has been in consultation, and from whom the District has sought guidance. And because the equity SDC was required to be reviewed as part of a rate case, submittal was further delayed until that rate analysis could be completed.

The District met its November 15, 2009 goal for the submittal of the equity SDC and rate case. However, the need to prevent disparate treatment of customers which was cited by the Commission has not been alleviated. In the interim between the December 31, 2009, scheduled expiration of the OIC and the Public Service Commission's decision on the proposed equity SDC, the District will very likely be asked to certify subdivision plats.

In order to prevent the disparate treatment of customers, to maintain the status quo, and to provide for an orderly transition, the District requests that the authorization of the Offsetting Improvement Charge be extended as interim relief until the resolution of rate and equity SDC Case 2009-00370.

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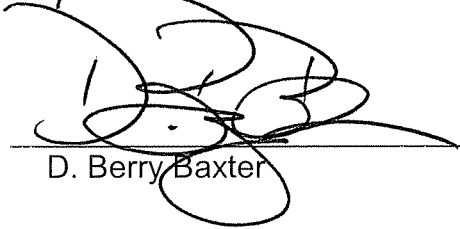
ATTORNEYS FOR HCWD #2



D. BERRY BAXTER

I certify that prior to the filing of the foregoing a true copy thereof was this 7TH day of December, 2009, mailed to:

Hon. David Spenard
Office of the Attorney General
Suite 200
1024 Capital Center Drive
Frankfort, KY 40601-8204



D. Berry Baxter

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