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2009-00440

January 15, 2010

Mr. Jeff Derouen, Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

RECEIVED
JAN 25 2010
PUBLIC SERVICE
COMMISSION

Dear Mr. Derouen,

On behalf of the Henry County Water District #2, the enclosed tariff is being submitted. Because plat certification in Henry County requires the permanent reservation of hydraulic capacity, it is unreasonable that these certifications be made in the absence of some payment by which the subdivider offsets the impact of certification.

This tariff was previously submitted for review on 12/14/2009. It was rejected because it did not have the required thirty day time frame between date of issue and effective date.

If you have any questions, please contact me at (502) 532-6279.

Sincerely,

James T. Simpson
Chief Operating Officer
Henry County Water District #2

FOR Henry County Water District # 2
Community, Town or City

P.S.C. KY. NO. 1 _____

Original _____ SHEET NO. 1 _____

Henry County Water District # 2
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

_____ SHEET NO. _____

RULES & REGULATIONS

PLAT TARIFF

The Henry County Planning Commission has stipulated that the District's certification of water availability on a subdivision plat represents the unconditional and permanent commitment of hydraulic capacity to that subdivision, and that such capacity shall be held in reserve indefinitely and exclusively in order to serve that subdivision.

The developer who presents a subdivision plat to the District for certification is requesting the option of future service to potential customers in his development, if and when homes are built and sold. But holding hydraulic capacity in reserve indefinitely via plat certification also requires the District to refuse service to subsequent actual customers in the vicinity of the proposed subdivision whenever existing demands plus the plat-certified reservation of demand would result in pressure below state minimums.

Therefore, effective March 1, 2010 it is the policy of the District not to make unconditional certifications of Henry County subdivision plats unless there is in effect an impact fee or system development charge by which the developer partially offsets the impact of holding hydraulic capacity in reserve for his subdivision.

DATE OF ISSUE January 19, 2010

Month / Date / Year

DATE EFFECTIVE March 1, 2010

Month / Date / Year

ISSUED BY 

(Signature of Officer)

TITLE Chief Operating Officer

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. _____ DATED _____