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Commissioner

December 23, 2009

Honorable Thomas R. Nienaber
Berger, Cox & Nienaber
401 Madison Avenue
Covington, KY 41011

RE: Case No. 2009-00488
Filing Deficiencies

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

Filing deficiencies pursuant to:

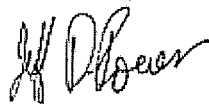
- (1) 807 KAR 5:001: Section 9(2)(b) Copies of franchises or permits, if any, from the proper public authority for the proposed new construction or extension, if not previously filed with the Commission.
- (2) 807 KAR 5:001: Section 11(1)(a) Description of applicants property.
- (3) 807 KAR 5:001: Section 11(1)(a) Statement of original cost of applicant's property and the cost to the applicant, if different.
- (4) 807 KAR 5:001: Section 11(2)(b) Copies of all trust deeds or mortgages. If previously filed, state case number.
- (5) 807 KAR 5:001: Section 11(2)(c) Detailed estimates by USOA account number.
- (6) 807 KAR 5:071: Section 3(1)(b) A copy of a preliminary approval issued by the Division of Water Quality of the Kentucky Department for Natural Resources and Environmental Protection approving the plans and specifications of the proposed construction.

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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 a 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,



Jeff Derouen
Executive Director