

Matthew G. Bevin
Governor

Charles G. Snively
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

June 19, 2019

Michael J. Schmitt
Chairman

Robert Cicero
Vice Chairman

Talina R. Mathews
Commissioner

PARTIES OF RECORD

RE: Case No. **2019-00153**

The Commission staff has reviewed the application in the above case and finds that it meets the minimum filing requirements and has been accepted for filing.

Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further assistance, please contact my staff at 502-564-3940.

Sincerely,

A handwritten signature in cursive script that reads "Gwen R. Pinson".

Gwen R. Pinson
Executive Director

GP/AH

FILED

JUN 07 2019

**PUBLIC SERVICE
COMMISSION**

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NOTICE OF TRANSFER OF A WASTEWATER)	
TREATMENT UTILITY FROM PRO MAN)	CASE NO.
PROPERTY MANAGEMENT, LLC TO FOX RUN)	
LIVING, LLC; APPLICATION FOR APPROVAL OF)	2019-00153
SAID TRANSFER; AND OFFER TO SETTLE)	
OUTSTANDING VIOLATIONS)	

NOTICE

Applicant Fox Run Living, LLC (“Fox Run”) hereby notifies the Kentucky Public Service Commission (“the Commission”) of the acquisition of a sewer utility by Fox Run from Pro Man Property Management, LLC (“Pro Man”), dba South Hills Subdivision Sewer Plant.

By agreement dated October 23, 2017, King Communities, LLC (“King Communities”) executed a purchase agreement to acquire an apartment complex and the associated sewer facilities from Pro Man (Exhibit A). Subsequently, King Communities was substituted as the buyer and replaced by Laura A King Trust and Fox Run, who together own the assets as Tenants in Common (Exhibit B).

Fox Run received an inspection report from the Commission, dated March 29, 2019 (Exhibit C), which noted the following deficiency:

It appears that Fox Run Living, LLC has acquired ownership of Pro Man Property Management, LLC without prior approval by the commission. If so, this is contrary to 278.020(6) and (7).

Until receipt of this inspection report and the accompanying deficiency notice, Fox Run was unaware that the sewer utilities purchased as part of the apartment complex transaction were a

*Gregory T Dutton
Frost Brown Todd, LLC
400 West Market Street
32nd Floor
Louisville, KENTUCKY 40202-3363

*Pro Man Property Management, LLC dba South
200 Water Works Road, Suite B
Fort Thomas, KY 41075