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MAY 23 2017

**PUBLIC SERVICE
COMMISSION**

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

EVERGREEN SEWAGE DISPOSAL, INC.,)
NOTICE OF SURRENDER AND ABANDONMENT) Case No. 2016-00290
OF UTILITY PROPERTY CONSISTING OF A FRANKLIN)
COUNTY WASTEWATER TREATMENT PLANT)

RESPONSE TO COMMISSION ORDER DATED MARCH 14, 2017

Evergreen Sewage Disposal Inc., (“Evergreen”) responds to paragraphs 2 and 6 of the Commission's Order entered March 14, 2017 as follows:

1. A copy of the deed between Evergreen and Farmdale Sanitation District is attached hereto; the deed was executed on May 18, 2017, but as stated in the introductory paragraph it will not be effective until May 31, 2017.

2. Evergreen has been notified by Farmdale Sanitation District that it has retained the services of Professional Wastewater Services, LLC, to provide a certified operator for the utility; a copy of an email notice dated May 19, 2017 from Allan Alsip, Chairman of the Farmdale Sanitation District, to the undersigned Counsel for Evergreen is attached hereto.

Respectfully Submitted,

John B. Baughman
BAUGHMAN HARP, PLLC
401 West Main Street, Suite 1
Frankfort, Kentucky 40601
502-227-2271 (Phone)
502-352-2936 (Fax)
Jbaughman@Hazelcox.com
Attorney for Evergreen Sewer Disposal, Inc.

DEED

THIS DEED made and entered into this 18th day of May, 2017, by and between **Evergreen Sewage Disposal, Inc.**, 4125 Lawrenceburg Road, Frankfort, Kentucky 40601, Grantor, and **Farmdale Sanitation District**, 321 West Main Street, Frankfort, Kentucky 40601, Grantee. However, the Parties agree the effective date of this deed will be May 31, 2017.

The "in-care-of" address for the property tax bill is: 321 West Main Street, Frankfort, Kentucky 40601.

WITNESSETH: That for and in consideration of the sum of **ONE DOLLAR (\$1.00)** cash in hand paid, receipt of which is hereby acknowledged, the Grantor has bargained and sold, and by these presents do alien and convey unto the Grantee, its successors and assigns forever, the following described real property known as Evergreen Sewage Disposal Waste Water Treatment Plant, lying and being in Franklin County, Kentucky, and more particularly described as follows:

Being a portion of Lot #23 of the Evergreen Subdivision of record in Deed Book 160, at page 360, Franklin County Court Clerk's Office and resub-divided as Lot #23F as shown and designated on said plat of record in Deed Book 223, page 279, in the office of the aforesaid.

Being Partial No. 6 conveyed to Roscoe Peach and Icie Peach, his wife, by Chat Chancellor, Special Master Commissioner, by deed dated November 26, 1975, and of record in Deed Book 263, page 440, Franklin County Court Clerk's Office.

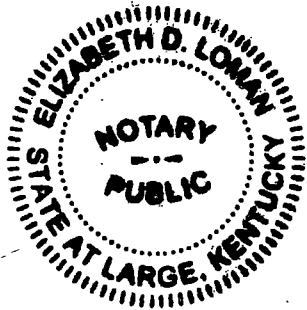
Being Partial No. 6 conveyed to Evergreen Sewage Disposal, Inc., by Roscoe Peach and Icie Peach his wife, by deed dated April 15, 1977, and of record in Deed Book 299, page 575, Franklin County Court Clerk's Office.

Grantor further covenants that it is lawfully seized of the estate hereby conveyed and that it is free of all liens and encumbrances except state, county, city and school taxes assessed and payable in 2017, and all taxes thereafter which the Grantee assume and agree to pay.

TO HAVE AND TO HOLD the above described real property with all the improvements thereon and appurtenances thereunto belonging unto the Grantee, its successors and assigns forever, with Covenant of General Warranty of Title.

Commonwealth of Kentucky)
) ss.
County of Franklin)

Subscribed, sworn to and acknowledged before me by Alex Alsep,
as Chairman of Farmdale Sanitation District as its own free act and
deed this 18th day of May, 2017.



Elizabeth D. Loman
Notary Public, State at Large
State Notary ID: 539406
My Commission expires: Aug 6, 2019

THIS INSTRUMENT PREPARED BY:



John B. Baughman
BAUGHMAN HARP, PLLC
401 West Main Street, Suite 1
Frankfort, KY 40601
(502) 227-2271
(502) 352-2936
Jbaughman@hazelcox.com

John Baughman

From: Allan Alsip [afalsip@gmail.com]
Sent: Friday, May 19, 2017 1:25 PM
To: John Baughman
Subject: Farmdale Sanitation Dist. O & M Agreement

Mr. Baughman:

Pursuant to your request for acknowledgment of a contract with a certified contractor to provide for the operation and maintenance of our soon to be acquired WWTP's (including Evergreen) I submit the following information:

On April 27, 2017, I as duly authorized officer of the Farmdale Sanitation District executed an Operation and Maintenance Agreement with Professional Wastewater Services, LLC . A summary of the services to be provided are as follows:

Standard Services

Commencing on May 1, 2017 the operator will provide all routine maintenance of the Owner's facilities on a 7 day per week basis within the system capabilities of the facilities. For purposes of this agreement, routine operation and maintenance shall include all activities necessary to satisfy the requirements imposed on the Owner by the existing Discharge Permits.

Routine Operations and Preventive Maintenance Services

The Operator will perform routine and/or repetitive activities required to operate the Facilities and to maintain the service life of the equipment and Facilities.

Corrective Maintenance Services

The Operator will identify the need for corrective maintenance during its routine operation and either perform the corrective maintenance as needed or flag the item for attention by a third party electrical or mechanical contractor.

Emergency Callout Services

The Operator shall provide personnel to respond to emergency callouts from power outages, storm response and alarm callouts on a 24/7 basis.

Regulatory Compliance

Subject to the limitations of the System Capabilities the Operator shall operate the Facilities in compliance with the current state and federal regulatory requirements and the Discharge Permit.

If you you wish to have details of specific provisions of the agreement the entire eight page agreement is available upon request.

Sincerely,

Allan Alsip, Chairman

Farmdale Sanitation District
321 W. Main St.
Frankfort, KY 40601