

P.S.C. KY. NO. 2

CANCELLING P.S.C. KY. NO. 1

LOVELACEVILLE WATER COMPANY

P.O. BOX 109

LOVELACEVILLE, KENTUCKY, 42060

RATES & CHARGES
AND
RULES & REGULATIONS
FOR FURNISHING

WATER SERVICE

IN

LOVELACEVILLE - BALLARD COUNTY
KENTUCKY

FILED WITH THE
KENTUCKY

PUBLIC SERVICE COMMISSION

CANCELLED
APR 01 2012
KENTUCKY PUBLIC
SERVICE COMMISSION

DATE OF ISSUE 9 / 21 / 2009
Month / Date / Year

DATE EFFECTIVE 11 / 1 / 2009
Month / Date / Year

ISSUED BY Barbara Mc Lewan
(Signature of Officer)

TITLE Owner

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
11/1/2009
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)
By J. H. D. [Signature]
Executive Director

FOR Lovellaceville, Ky
Community, Town or City

P.S.C. KY. NO. 2

Original SHEET NO. 1

CANCELLING P.S.C. KY. NO. 1

SHEET NO. _____

Lovellaceville Water Company
(Name of Utility)

RATES & CHARGES

Monthly Water Rates:

First 3,500 Gallons

\$22.00 Minimum Bill

Over 3,500 Gallons

4.40 Per 1,000 Gallons

DATE OF ISSUE _____
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ISSUED BY Eric Young
(Signature of Officer)

TITLE _____

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2009-00381 DATED 11/25/2009

KENTUCKY PUBLIC SERVICE COMMISSION
JEFF R. DEROUEN EXECUTIVE DIRECTOR
TARIFF BRANCH <i>Brent Kirtley</i>
EFFECTIVE 11/25/2009
PURSUANT TO 807 KAR 5:011 SECTION 9 (1)

FOR Lovellaceville, Ky

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Lovellaceville Water Company
(Name of Utility)

The provisions of this tariff are in addition to and subject to Commonwealth of Kentucky statutes and Public Service Commission regulations, and any inconsistencies herein shall be interpreted in favor of the appropriate statute and/or regulation. This tariff will uniformly apply to all customers of the utility, and no employee or commissioner of the utility is permitted to make any exception to any portion of this tariff without PSC acceptance and/or approval.

A. General Information

1. All customers must grant, convey, or cause to be granted or conveyed to the utility a perpetual easement and right-of-way across any property owned or controlled by the customer wherever necessary for the utility's facilities in order to provide service.
2. Each prospective customer desiring water service must sign the utility's Water Service Contract before service is supplied by the utility.
3. No customer may resell water except under the terms of a special contract executed by the utility and accepted or approved by the PSC.
4. A customer shall notify the utility immediately if there is a problem with the service and /or if an accident occurs that affects the water system.
5. With respect to any billing dispute, customer accounts shall be considered to be current while the dispute is pending as long as the customer continues to make undisputed payments and stays current on subsequent bills.
6. Bills and notices from the utility will be mailed to the customer at the address listed on the Water Service Contract unless a change of address has been filed with the utility in writing. The utility will not otherwise be responsible for delivery of any bill or notice, nor will the customer be excused from the payment of any bill or any performance required in the notice.
7. Billing Cycle – Water service will be billed: X every month
_____ every two months
_____ every three months

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IN CASE NO. _____ DATED _____

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By JH D. Brown
Executive Director

FOR Lovellaceville, Ky

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Lovellaceville Water Company
(Name of Utility)

B. Deposits.

The utility does not collect or require a cash deposit or other guarantee to secure payment of bills.

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TITLE Barbara Mc Gowan

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

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Executive Director

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Lovellaceville Water Company
(Name of Utility)

C. Multiple Connections on a Single Meter.

With the exception of existing connections, the existence of a special contract or unusual circumstances requiring approval of the utility, a single meter can serve no more than one residential or commercial unit on and after the effective date of this tariff.

For existing connections, special contracts, or other utility approved situations, where two or more units are being served by one meter, the following rules will apply:

- 1) One bill per meter will be sent to the customer that signed the Water Service Contract.
- 2) The bill will consist of a charge in the amount of the utility's minimum bill multiplied by the number of units the meter serves. The amount of water included with a minimum bill will be multiplied by the number of units and deducted from the total amount of consumption. The remaining consumption will be evenly distributed among each unit, added to each unit's minimum bill, with the charges calculated according to currently approved rates.
- 3) The customer that signed the Water Service Contract will be fully and solely responsible for the charges associated with the connection including payment for all water passing through the meter, regardless of which unit is responsible for the water consumption.

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By J. D. Beeson
Executive Director

FOR Lovellaceville, Ky

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Lovellaceville Water Company
(Name of Utility)

D. Special Nonrecurring Charges – Meter Related.

The utility will assess a charge for the following non-recurring services:

1. Meter Connection /Tap-On Charge: \$ 200.00

Will be assessed to hook up a new a meter connection /tap-on.

2. Reserved:

3. Meter Relocation Charge: Actual Cost

Will be assessed when a customer or other authorized person requests that a meter be relocated, changed, or modified. Those requesting a change must reimburse the utility for the actual costs incurred, including but not limited to appropriate legal, administrative, engineering, overhead, or other related costs.

4. Reserved:

5. Reserved:

6. Meter Test Charge: Actual Cost

Will be assessed when a customer requests the utility perform a test on the customer's meter to check for accuracy and the test shows the customer's meter is not more than two percent (2%) fast. The utility will perform such test on any meter upon written request of any customer if the request is not made more than once every twelve (12) months.

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Lovellaceville Water Company
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E. Reserved

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Lovellaceville Water Company
(Name of Utility)

F. Special Nonrecurring Charges – Billing Related.

The utility will assess a charge for the following nonrecurring services:

1. Reserved:

2. Reserved:

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By H. D. Brown
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Lovellaceville Water Company
(Name of Utility)

G. Leak Policy.

While a utility is not required to have a leak adjustment policy to adjust bills due to a water leak, this utility chooses to offer a leak adjustment under the following conditions:

1. The customer must request a leak adjustment in writing to the utility.
2. The customer must provide a plumber's statement or other proof showing the leak has been repaired.
3. The customer's bill will be based on two components. The first step will be to calculate the customer's average monthly usage over a twelve-month period. The second step will be to deduct the customer's average monthly usage (as calculated above) from the total amount of water that passed through the meter. The usage calculated in step one will be billed at the utility's regular rates, while the remaining usage will be charged at the per thousand gallon leak adjustment rate. All water passing through the meter must be accounted and paid for by the customer. Therefore, the customer will owe the amount of his/her average bill plus the per thousand gallon leak adjustment rate for the remainder of the water that passed through the meter.
4. If meter readings are not available for an entire twelve-month period, the water bill will be estimated by the utility, subject to an upward or downward adjustment once a twelve-month average of actual meter readings can be calculated.
5. Only one (1) leak adjustment will be made for a specific service location during any given twelve-month period.
6. Any wholesale customer is not eligible for this Leak Adjustment Policy.
7. The leak adjustment per 1,000 gallon rate shall be:

The rate per 1,000 gallons charged for the "Over 3,500 Gallons" block.

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Lovellaceville Water Company
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H. Monitoring of Customer Usage.

1. The utility will monitor a customer's usage at least annually in such a way to draw the utility's attention to unusual deviations in a customer's usage. If a customer's usage is unduly high (100% above average) and the deviation is not otherwise explained, the utility will test the customer's meter to determine whether the meter shows an average error greater than two (2) percent fast or slow.
2. If the utility's procedure for monitoring usage indicates that an investigation of a customer's usage is necessary, the utility will notify the customer in writing either during or immediately after the investigation of the reasons for the investigation, and of the findings of the investigation. If knowledge of a serious situation requires more expeditious notice, the utility will notify the customer by the most expedient means available.

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Executive Director

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Lovellaceville Water Company
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I. Bill Adjustments.

1. Fast or Slow Reading Meters

- a) If upon periodic test, requested test, or complaint test, a meter in service is found to be more than two (2) percent fast, additional tests will be made to determine the average error of the meter. The tests will be made in accordance with Public Service Commission rules and regulations applicable to the type of meter involved.
- b) If test results on a customer's meter show an average error greater than two (2) percent fast or slow, or if a customer has been incorrectly billed for any other reason, except in an instance where a utility has filed a verified complaint with the appropriate law enforcement agency alleging fraud or theft by a customer, the utility will immediately determine the period during which the error has existed, and will re-compute and adjust the customer's bill to either provide a refund to the customer or collect any under-billed amount.
- c) The utility will readjust the account based upon the period during which the error is known to have existed. If the period during which the error existed cannot be determined with reasonable precision, the time period will be estimated. In all instances of customer over-billing, the customer's account will be credited or the over-billed amount refunded at the discretion of the customer within thirty (30) days after final meter test results. A utility will not require customer repayment of any under-billing to be made over a period shorter than a period coextensive with the under-billing.

2. Meter Read Failure. When a meter has ceased to register, or a meter reading cannot be obtained, the quantity of water to be billed will be based upon an average of twelve-month's consumption. If said meter readings are not available for an entire twelve-month period, the water bill will be estimated by the utility, subject to an upward or downward adjustment once a twelve-month average of actual meter readings can be calculated.

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Lovellaceville Water Company
(Name of Utility)

J. Refusal of Service.

1. The utility may refuse service to a customer under the following conditions:
 - a) For noncompliance with utility's tariff or PSC regulations.
 - b) For dangerous conditions existing on the customer's premises.
 - c) For refusal of reasonable access to the customer's premises.
 - d) For outstanding indebtedness until the customer has repaid the indebtedness.
 - e) For noncompliance with state, local, or other codes and/or regulations

K. Customer Requested Termination of Service.

Any customer desiring service terminated or changed from one address to another shall give the utility three (3) working days' notice in person, in writing, or by telephone, provided such notice does not violate contractual obligations. The customer will not be responsible for charges for service beyond the three (3) day notice period if the customer provides proper notification and reasonable access to the meter during the notice period. If a customer requests termination by telephone, the burden of proof is on the customer to prove that service termination was requested if a dispute arises.

L. Emergency Termination of Service.

If a dangerous condition relating to the utility's service which could subject any person to imminent harm or result in substantial damage to the property of the utility or others is found to exist on the customer's premises, then service will be terminated immediately.

M. Access to Property

The customer shall allow the utility at all reasonable hours access to meters, service connections, and other property owned by it and located on customer's premises for purposes of installation, maintenance, meter reading, operation, replacement or removal of its property at the time service is terminated.

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Lovellaceville Water Company
(Name of Utility)

N. Utility Initiated Termination of Service – With Advanced Notice.

The termination notice shall be mailed or delivered to the last known address of the customer. The notice shall be in writing, distinguishable and separate from any bill and shall state the reason for termination, that the termination date will not be affected by receipt of any subsequent bill, and that the customer has the right to dispute the reasons for termination. With advanced notice, the utility may terminate service under the following conditions:

1. For noncompliance with utility or Public Service Commission rules and regulations. The utility cannot terminate service to any customer for noncompliance without first having made a reasonable effort to obtain customer compliance. After such effort by the utility, service may be terminated only after the customer has been given at least ten (10) days' written termination notice.
2. For refusal of access. When a customer refuses or neglects to provide reasonable access to the premises for installation, operation, meter reading, maintenance, or removal of utility property, the utility may terminate service. Such action will be taken only when corrective action negotiated between the utility and customer has failed to resolve the situation and after the customer has been given at least ten (10) days' written notice of termination.
3. For noncompliance with state, local, or other codes. The utility may terminate service to a customer that does not comply with state, municipal, and/or other codes, rules, and regulations that apply to such service. A utility may terminate service only after ten (10) days' written notice of termination is provided unless ordered to terminate immediately by a governmental official.
4. For nonpayment of bills. The utility may terminate service for nonpayment of charges incurred for utility services. The utility may terminate service only after five (5) days' written notice of termination is provided, and after twenty (20) days have elapsed since the mailing date of the original unpaid bill.

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Executive Director

FOR Lovellaceville, Ky

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Lovellaceville Water Company
(Name of Utility)

O. Utility Initiated Termination of Service – Without Advanced Notice.

1. The utility may terminate service to a customer if the following conditions exist without an advance termination notice. In addition to termination of service, the customer may be liable for any legal action the utility may pursue.
 - a) Unauthorized service by illegal use or theft.
 - b) Extensions or additions to an existing service connection that have not been approved by the utility.
 - c) Misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water.
 - d) Resale of water except under the terms of a special contract executed by the utility and approved by the PSC.
 - e) Waste or misuse of water due to improper or imperfect service pipes and/or failure to keep said pipes in a suitable state of repair.
 - f) Tampering with meter, meter seal, service, valves, or other system facilities, or permitting such tampering by others.
 - g) Connections, cross-connections, or permitting the same, of any separate water supply to premises that receive water from the utility.

2. In addition to termination of service, the customer may be liable for any legal action the utility may pursue.

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FOR Lovellaceville, Ky

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Lovellaceville Water Company
(Name of Utility)

P. Utility Initiated Termination of Service – Exceptions.

The utility will not terminate service to a customer if the following conditions exist:

1. If payment for services is made. Service will not be terminated to a customer that was sent a termination notice if the customer delivers full payment to the utility prior to the actual termination of service.
2. If a partial payment agreement is in effect. Service will not be terminated for nonpayment if the customer and the utility have entered into a partial payment plan and the customer is meeting the requirements of the plan.
3. If a medical certificate is presented. Service will not be terminated for thirty (30) days beyond the termination date if a physician, registered nurse or public health officer certifies in writing that termination of service will aggravate a debilitating illness or infirmity on the affected premises. The utility may refuse to grant consecutive extensions for medical certificates past the original thirty (30) days unless the certificate is accompanied by an agreed partial payment plan. The utility will not require a new deposit from a customer to avoid termination of service for a thirty (30) day period who presents to the utility a medical certificate certified in writing by a physician, registered nurse or public health officer.

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By J. D. Pearson
Executive Director

FOR Lovellaceville, Ky

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Lovellaceville Water Company
(Name of Utility)

Q. Service Connections.

1. Connecting its distribution main to the customer's premises, including the meter and meter box, shall be furnished and installed at the expense of the utility, which will recoup this expense by assessing the customer a charge approved by the PSC.
2. All taps and connections to the mains of the utility must be made by and/or under the direction and supervision of the utility.
3. In areas where the distribution system follows well-defined streets and roads, the customer's point of service shall be located at that point on or near the street right-of-way or property line most accessible to the utility from its distribution system.
4. In areas where the distribution system does not follow streets and roads, the point of service shall be located as near the customer's property line as practicable. Prior to installation of the meter the utility shall consult with the customer as to the most practical location.
5. The utility will own and be responsible for the maintenance of all meters and reserves the right to approve the size and type of meter used.
6. The utility will own and be responsible for the maintenance of all mains, fire hydrants, valves, crossings, and other appurtenances whether installed by the utility or not.
7. The utility strictly prohibits a cross connection of its system with any other source.
8. The utility requires a visual inspection by utility personnel of any connection before being covered. The utility may substitute its inspection with an inspection by the appropriate state or local plumbing inspector, if proof of inspection is presented to the utility by the customer.

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Lovellaceville Water Company
(Name of Utility)

R. Service Lines.

1. The service line is the pipe from the outlet side of the water meter to the point of usage. The applicant/customer must furnish and lay the necessary pipe of the service line and be financially responsible for all costs associated with the installation and maintenance of his/her service line plumbing.
2. The service line must be kept in good repair and in accordance with utility and PSC rules and regulations. The customer owns and is responsible for his/her service line from the outlet side of the water meter (or point of service) to the point of usage.
3. The service line must consist of copper or PVC pipe with a rating of no less than 200 psi and should not be less than 3/4 inches.
4. The service line must be laid at a depth that is a minimum of 24 inches.
5. If the applicant/customer has a point of usage at a higher elevation than the meter, then he/she shall consult with a reputable engineering firm to properly size the service line from the meter to the point of usage.
6. If the applicant/customer desires a higher than normal pressure, then he/she shall make provisions for an individual pressure booster system for the service line, subject to approval by the utility. The utility reserves the right to require discontinuance and disconnection should the private booster system have a detrimental effect on the utility's system.
7. If the applicant/customer has boilers and/or pressure vessels that receive water from the utility, then he/she shall provide a check valve on the water supply line and a vacuum valve on the steam line in order to prevent a collapse were the water supply from the utility to be interrupted or discontinued.
8. If the applicant/customer has used or is using a well, then he/she shall provide the utility access to perform an inspection to verify the well is properly separated from the system.

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Lovellaceville Water Company
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S. Reserved

T. Reserved

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Lovellaceville Water Company
(Name of Utility)

U. Legal Disclaimers.

1. The utility shall in no event be held responsible for any claims made against it for reasons of system failure or interruption of service. No persons shall be entitled to damages or for any portion of a payment refunded for any system failure or interruption of service which in the opinion of the utility is deemed necessary.
2. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the utility's water system. Any person violating this provision will be subject to immediate arrest and/or discontinuance of water service and shall pay the cost of repairing or replacing the utility's facilities.
3. If any loss or damage to the property of the utility or any accident or other injury to persons or property is caused by or results from the negligence or wrongful action of a customer, members of his/her household, his/her agent or employee, the cost of necessary repairs or replacements shall be paid by the customer of the utility and any liability otherwise resulting shall be that of the customer.
4. For purposes of fire protection, including any customer's fire protection system, the utility cannot guarantee a water supply at any particular flow rate or pressure. The fire flow may vary depending upon other water demands on the system, various water facility limitations, or other circumstances. The customer will indemnify and hold harmless the utility and its employees from and against all claims, damages, losses, and expenses incurred as a result of insufficient water supply or deficient system facilities.

DATE OF ISSUE 9 / 21 / 2009

Month / Date / Year

DATE EFFECTIVE 11 / 1 / 2009

Month / Date / Year

ISSUED BY Barbara Mc Gowan
(Signature of Officer)

TITLE Owner

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. _____ DATED _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
11/1/2009
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By [Signature]
Executive Director

FOR Lovellaceville, Ky

P.S.C. KY. NO. 2

Original SHEET NO. 19

CANCELLING P.S.C. KY. NO. 1

SHEET NO. _____

Lovellaceville Water Company
(Name of Utility)

V. Water Main Extensions.

1. Normal extension. An extension of fifty (50) feet or less shall be made by a utility to its existing distribution main without charge for a prospective customer who shall apply for and contract to use service for one (1) year or more.
2. Other extensions.
 - a) When an extension of the utility's main to serve an applicant or group of applicants amounts to more than fifty (50) feet per applicant, the utility will require the total cost of the excessive footage over fifty (50) feet per applicant/customer to be deposited with the utility by the applicant/customer, based on the average estimated cost per foot of the total extension.
 - b) Each year, for a refund period of not less than ten (10) years, the utility shall refund to the customer(s) who paid for the excessive footage the cost of fifty (50) feet of the extension in place for each additional customer connected during the year whose service line is directly connected to the extension installed and not to extensions or laterals therefrom. Total amount refunded shall not exceed the amount paid to the utility. No refund shall be made after the refund period ends.
3. The utility may make extensions under different arrangements if such arrangements have received prior approval of the PSC.
4. Upon complaint to and investigation by the PSC a utility may be required to construct extensions greater than 50 feet if the PSC finds that such extension is reasonable and that an extension of less than 50 feet is unreasonable under the circumstances.

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By [Signature]
Executive Director

FOR Lovellaceville, Ky

P.S.C. KY. NO. 2

Original SHEET NO. 20

CANCELLING P.S.C. KY. NO. 1

SHEET NO. _____

Lovellaceville Water Company
(Name of Utility)

W. Extension Procedures for Developers and/or New Subdivisions.

1. An applicant desiring an extension to a proposed real estate subdivision may be required to pay the entire cost of the extension. Each year, for a refund period of not less than ten (10) years, the utility shall refund to the applicant who paid for the extension a sum equal to the cost of fifty (50) feet of the extension installed for each new customer connected during the year whose service line is directly connected to the extension installed by the developer, and not to extensions or laterals therefrom. Total amount refunded shall not exceed the amount paid to the utility. No refund shall be made after the refund period ends.
2. The utility may also, upon PSC approval, contract privately with owners and/or developers of subdivisions for the installation of water service for the subject subdivision. The owners/developers, pursuant to these contracts, extend mains and install water service at their expense. The utility would not accept nor receive any contribution, cost reimbursement, or deposit from any customer (lot owner) in this circumstance and as contemplated by 807 KAR 5:066 Section 11 (2)(a), and therefore, 807 KAR 5:066 Section 11 (2)(b) (1) or (2) or (3) would not apply to the utility with regard to newly-developed subdivisions.
3. The utility or its designated representative shall approve such an extension before construction begins.
4. Nothing contained herein shall be construed to prohibit the utility from contracting to make extensions under different arrangements if such arrangements have received the prior approval of the PSC.

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SECTION 9 (1)

By JH D'Beauvoir
Executive Director

FOR Lovellaceville, Ky

P.S.C. KY. NO. 2

Original SHEET NO. 22

CANCELLING P.S.C. KY. NO. 1

SHEET NO. _____

Lovellaceville Water Company
(Name of Utility)

Lovellaceville Water Company

P.O.Box 109
Lovellaceville, KY 42060
270-816-4299

Utility Bill

10/7/2009

Amount Due

\$10.00

Amount Paid

MARILYN PARKER
PO BOX 504
LOVELLACEVILLE, KY 42060

Account Number	Service Address	Payment Due Date
	1056 CUNNINGHAM RD	10/22/2009

Detach Top and Return With Payment

Service		Description	Meter Readings		Consumption	Amount
From	To		Previous	Current		
8/28/2009	9/29/2009	Residential	2000	4400	2400 X 1	\$10.00

Prior Account Balance: \$0.00

Current Period Total: \$10.00

Total Amount Due: \$10.00

You may also mail payment to the following: 1287 Hamburg Rd. Hevil, KY 42057. A \$50.00 reconnection fee will be charged in the event of a service disconnection for nonpayment. There is a \$5.00 late fee after the 15th of each month.

No late notices will be mailed.

PUBLIC SERVICE COMMISSION

OF KENTUCKY

11/1/2009

PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By *J. D. Brown*
Executive Director