

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPROVAL OF PSC ACQUISITION AND)
TRANSFER OF OWNERSHIP AND SERVICE)
TERRITORY FROM THE OHIO COUNTY) CASE NO. 96-389
WATER DISTRICT TO THE BUTLER COUNTY)
WATER SYSTEM, INC. IN ACCORDANCE)
WITH 278.020)

O R D E R

The Commission issued its final Order in this case on October 10, 1996 approving the acquisition of a portion of the Ohio County Water District facilities by the Butler County Water System, Inc. ("Butler Water"). On December 20, 1996, Butler Water filed an application for rehearing of that portion of the Commission's Order which required it to adopt the rates of Ohio Water with respect to the 11 affected customers.

KRS 278.400 provides that any party to a Commission proceeding may request rehearing within 20 days after service of the Order. Butler Water's application for rehearing was received 71 days after entry of the final Order in this case. Butler Water's application should be denied due to its failure to comply with KRS 278.400.

IT IS THEREFORE ORDERED that Butler Water's application for rehearing is denied due to its failure to comply with the requirements of KRS 278.400.

Done at Frankfort, Kentucky, this 7th day of January, 1997.

PUBLIC SERVICE COMMISSION

Aida K. Breathitt
Chairman

Edna J. Hines
Vice Chairman

B. J. Helton
Commissioner

ATTEST:

Don Mills
Executive Director