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Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of April 18, 2024***2016-00207**

RECEIVED: 06/16/16

FILED: 07/11/16

FINAL: 02/13/20

REOPENED:

SUSPENSION DATE:

CASE CODE

Abandonment

UTILITIES:

Airview Utilities, LLC

HEARINGS:

10/12/16 Formal Hearing

10/07/16 Teleconference

INDEX OF EVENTS:

02/13/20 Final Order Entered: 1. Airview's motion to dismiss, without prejudice, Case No. 2016-00207 is granted. 2. All motions in this proceeding that are pending are denied as moot. 3. This case is closed and removed from the Commission's docket.

11/18/19 Attorney General's Notice of Withdrawal of Counsel

11/08/19 Attorney General Notice of Withdrawal of Counsel

10/04/19 Airview Utilities, LLC Notice of Asset Transfer

09/13/19 Airview Utilities, LLC Motion to Dismiss without Prejudice

06/18/19 Airview Utilities, LLC and City of Elizabethtown Joint Motion to Hold Case in Abeyance

09/20/18 Airview Utilities, LLC Response to Commission Staff Third Request for Information

09/17/18 City of Elizabeth Town Response to Commission Staff Third Request for Information

09/13/18 Airview Utilities, LLC Motion for Extension of Time

09/12/18 Airview Utilities, LLC Supplemental Response to Commission Order

08/30/18 Commission Staff's Third Request for Information to the City of Elizabethtown

08/30/18 Commission Staff's Third Request for Information to Airview Utilities, LLC

08/16/18 Airview Utilities, LLC Response to Commission Order Dated July 17, 2018

07/17/18 Order Entered: 1. Airview shall file its responses to the Interim Order within 30 days of the date of this Order. 2. Supplemental requests for information to Airview shall be filed no later than August 30, 2018. 3. Airview shall file its responses to supplemental requests for information no later than September 13, 2018.

09/29/17 Attorney General Notice of Withdrawal of Counsel

06/05/17 Airview Utilities Notice of Filing

03/31/17 AG notice of withdrawal and substitution of counsel

02/09/17 Order Entered: 1. Airview shall continue to operate its utility facilities during the pendency of this investigation and shall continue operating until the Commission issues an Order adjudicating Airview's request to abandon its facilities. 2. Within 30 days of the date of this Order, Airview shall submit the names of three engineering firms with engineers registered in Kentucky acceptable to Elizabethtown. The submission shall include documentation that verifies Elizabethtown's approval of each firm and, if applicable, Elizabethtown's recommendation as to which firm should perform the work. Within 180 days of this Order, Airview shall have prepared and file into the record in the instant case detailed engineering plans for an interconnection between the Airview system and the Elizabethtown wastewater system. The preparation of the plans shall be performed by an engineering firm acceptable to Elizabethtown, contain sufficient financial information to allow the development of a project profile by the KIA, and to be prepared, signed, sealed, and dated by an engineer registered in Kentucky in a format meeting all DOW filing requirements necessary for DOW to review the project. 4. Within 180 days of this Order, Airview shall ascertain the status of its property rights in the lease of the real property upon which Airview's WWTP is located and shall obtain and file into the record written consent of the lessor for a transfer of Airview's benefits under the lease.

01/20/17 Airview Utilities LLC Request for Anticipated Date of Ruling

11/30/16 Airview Utilities LLC Response to Second Request for Information

11/15/16 Commission Staff's Second Request for Information to Airview Utilities, LLC

11/09/16 AG's Comments

11/09/16 Airview Utilities LLC Motion to File Response

11/09/16 Airview Utilities LLC Post Hearing Brief

11/02/16 Airview Utilities LLC Supplemental Post Hearing Data Response

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10/25/16 Airview Utilities LLC Response to Post Hearing Data Requests

10/19/16 Notice of Filing Hearing Documents

10/13/16 Response Letter to City of Elizabethtown

10/12/16 City of Elizabethtown Public Comments

10/12/16 Airview Utilities LLC Notice of Filing of Executed Signature Page

10/11/16 Order Entered: 1. The AG's motion for an extension of time to file his Supplemental Request is granted. 2. Airview's motion for an extension of time to file its responses to the Commission's Supplemental Request is denied. Notwithstanding the denial of Airview's motion for an extension, Airview's responses to the Commission's Supplemental Request shall be filed into the record. 3. Airview's motion for an extension of time to file its responses to the AG's Supplemental Request is denied. Notwithstanding the denial of Airview's motion for an extension, Airview's responses to the AG's Supplemental Request shall be filed into the record. 4. The AG's motion to reschedule the October 12, 2016 hearing is denied.

10/11/16 Airview Utilities LLC Supplemental Answers to AG Second Request for Information

10/11/16 Airview Utilities LLC Notice of Filing

10/10/16 Airview Utilities LLC Response to AG Second Request for Information

10/07/16 Airview Utilities LLC Motion for Extension of Time to Reply

10/07/16 Airview Utilities LLC Motion for Extension of Time to Reply to AG

10/07/16 AG Objection to Airview Utilities LLC Motion

10/07/16 Airview Utilities LLC Response to Request for Information

10/05/16 Airview Utilities LLC Supplemental Response to AG

09/30/16 Order Entered: 1. Airview's Motion for Extension of Time is granted. 2. Airview shall file within seven days of the date of this Order the certifications required by the Commission's July 29, 2016 Order for Airview's responses to the AG's Initial Request and to the Commission's First Request.

09/30/16 Airview Utilities LLC Notice of Filing of Executed Signature Page for Response to AG

09/30/16 Airview Utilities LLC Notice of Filing of Executed Signature Page for Response

09/28/16 AG's Second Request to Airview Utilities LLC

09/26/16 AG Motion for Extension of Time

09/22/16 Airview Utilities LLC Response to AG's Request for Information

09/20/16 Commission Staff's Supplemental Request for Information to Airview Utilities, LLC

09/20/16 Airview Utilities LLC Motion for Extension of Time

09/06/16 Order Entered: 1. Airview shall file its responses to the AG's Initial Request on or before 14 days from the date of this Order. 2. Supplemental requests for information to Airview shall be filed no later than September 26, 2016. 3. Airview shall file its responses to supplemental requests for information no later than October 6, 2016. 4. A formal hearing in this matter shall be held on October 12, 2016, at 9:00 a.m. Eastern Daylight Time, in the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. 5. Airview shall appear at the formal hearing scheduled on October 12, 2016. 6. The October 12, 2016 hearing shall be recorded by videotape only. 7. Pursuant to 807 KAR 5:001, Section 9(3), Airview shall serve notice of the hearing's purpose, time, place, and date to its customers no less than 14 days nor more than 21 days prior to the hearing. Airview shall provide a copy of the notice to the Commission on or before the date of the hearing. 8. The Commission shall serve a copy of this Order to the Kentucky Division of Water; the Hardin County Judge/Executive; the Mayor of the city of Elizabethtown, Kentucky; the Department of Planning and Development of the city of Elizabethtown; the Hardin County Planning and Development Commission; the Department of Water and Wastewater of the city of Elizabethtown; Hardin County Water District No. 1; Hardin County Water District No. 2; and the Lincoln Trail District Health Department.

08/22/16 Airview Utilities LLC Response to Data Request

08/16/16 AG Request for Information

08/11/16 Order Entered: Airview's motion for extension of time is granted.

08/04/16 Airview Utilities LLC Motion for Extension of Time

07/29/16 Order Entered: 1. This case is initiated to investigate the request by Airview to abandon its utility services and facilities. 2. Airview shall continue to operate its utility facilities during the pendency of this investigation and shall continue operating until the Commission issues an Order adjudicating Airview's request to abandon its facilities. 3. The information requested in the Appendix of this Order is due within 14 days of the date of this Order. Pursuant to 807 KAR 5:001, Airview is to file with the Commission the original and 8 copies of the following information, with a copy to all parties of record. a. Responses to requests for information shall be appropriately bound, tabbed and indexed and

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shall include the name of the witness responsible for responding to the questions related to the information provided, with copies to all parties of record, and the original and eight copies to the Commission. b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

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| 07/15/16 | Order Entered: that Airview's Notice is accepted for filing as of July 11, 2016. |
| 07/14/16 | AG Response to Order |
| 07/12/16 | Order Entered: The motion of the Attorney General to intervene is granted. 2. The Attorney General shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. 3. The Attorney General shall comply with all provisions of the Commission's regulation, 807 KAR 5:001, Section 7, related to the service and filing of documents. 4. Within seven days of entry of this Order, the Attorney General shall provide his electronic mail address to which all electronic documents issued by the Commission and other parties of record may be served upon the Attorney General in accordance with 807 KAR 5:001, Section 4(8)(b). |
| 07/11/16 | Order Entered: Airview's Notice is rejected for filing. 2. Airview shall, within seven days of the date of this Order, supplement its June 16, 2016 Notice to demonstrate that it has complied with KRS 278.020(11). 3. Airview shall, within seven days of the date of this Order, file with the Commission any written notices that it has provided pursuant to KRS 278.020(11). |
| 07/11/16 | Airview Utilities, LLC Notice of Compliance |
| 07/08/16 | Attorney General Motion to Intervene |
| 06/16/16 | Acknowledge Receipt of Filing |
| 06/16/16 | Airview Utilities, LLC Notice of Surrender and Abandonment of Utility Property |

Total Number of Cases: 1