

BEFORE THE MISSISSIPPI PUBLIC SERVICE COMMISSION

RE: APPLICATION OF KEARNEY PARK UTILITIES
COMPANY, FOR CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY FOR A PROPOSED
NEW AREA IN MADISON COUNTY AND FOR
AUTHORITY TO CONSTRUCT WATER DISTRIBUTION
FACILITIES TO FURNISH WATER SERVICE TO
CUSTOMERS IN SAID PROPOSED NEW SERVICE
AREA.

DOCKET No. U-4500

ORDER

THIS DAY this cause came on to be heard before the Mississippi Public Service Commission on petition of KEARNEY PARK UTILITIES COMPANY (Petitioner) for a Certificate of Public Convenience and Necessity to operate and render water service in a proposed new service area in Madison County, Mississippi, described hereinbelow, on the basis of Petitioner's existing water rate schedule now on file with this Commission.

Due and proper notice of filing of the Petition and notice of the time and place of the hearing having been given in the manner required by law, including publication of such notice in the Clarion-Ledger, a newspaper published at the seat of government in Jackson, Hinds County, Mississippi, with proof of publication lawfully filed with the Commission and copies of said notice lawfully mailed by the Secretary of the Public Service Commission to the proper officers, persons and newspapers throughout the State of Mississippi, the Town of Flora having notified this Commission of its support of the application of Kearney Park Utilities Company by letter dated May 16, 1984, all as shown by the records in this cause, and there being no objections or protests filed, the Petition for said Certificate of Public Convenience and Necessity was duly heard on this date. The Commission having fully considered the Petition and the Exhibits filed thereto and having heard the testimony in support thereof, finds as follows:

I.

Petitioner is a corporation organized and existing under the laws of the State of Mississippi and presently is furnishing water and sewer service to customers in Madison County, Mississippi in its existing service area pursuant to a Certificate of Public Convenience and Necessity previously issued to Petitioner by the Mississippi Public Service Commission. Said Petitioner is a public utility as defined in Section 77-3-3 of the 1972 Mississippi Code Annotated. The mailing address of Petitioner is: Kearney Park Utilities Company, P. O. Box 300, Flora, Mississippi 39071 and Frank Lauritzen is President of said company.

II.

A true and correct copy of the Charter of Incorporation and of the financial statement of Petitioner was heretofore filed with the Mississippi Public Service Commission and are by reference made a part hereof.

III.

Petitioner in this case seeks a Certificate of Public Convenience and Necessity to furnish water service in a proposed new service area in Madison County, Mississippi described as follows:

All that part of the Southeast Quarter of Northeast Quarter and Northeast Quarter of Southeast Quarter of Section 5, Township 8 North, Range 1 West, lying East of the Kearney Park to Flora public road, all in Madison County, Mississippi.

The initial customers who will receive water service from Petitioner all live in a subdivision development in the proposed new area commonly referred to as the Churchill Park Subdivision. The proposed service area is located approximately one mile south of Petitioner's existing service area and is more fully shown on that certain map or plat attached as Exhibit "A" to the Application heretofore filed in this cause. The proposed service area is outside the corporate limits of any municipality.

IV.

Petitioner has constructed a water transmission line from its existing service area to the proposed new service area. This water transmission line consists of approximately 5,500 feet of four inch plastic pipe and extends from Petitioner's existing water distribution system in its existing certificated area to certain other water distribution and service line facilities in the Churchill Park Subdivision which Petitioner acquired from one L. V. Sumler. Water will be transported by Petitioner through its above-mentioned transmission facility to the water distribution facility acquired from L. V. Sumler to initially serve 16 residential customers in Churchill Park Subdivision. The cost of all of the above described facilities will be approximately \$10,000.00. Petitioner will not serve any customers off of any portion of the above described transmission line which is not in Petitioner's certificated area.

V.

The proposed initial facilities will allow Petitioner to serve the needs of said new service area which should be developed as a unit because of the geographic character and the population division. Petitioner is the logical and best equipped company to furnish water service to the area because of the close proximity to areas already served by Petitioner. Petitioner did not seek a certificate in this case to furnish sewer service to the area for the reason that it is not economically feasible for Petitioner to extend its sewage distribution system into the area.

VI.

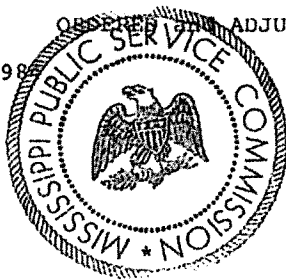
There is no other certificated utility offering water distribution service in said area and the proposed facilities will not result in uneconomical duplication of facilities. Construction of the proposed facilities will be financed out of company funds on hand.

VII.

This Commission finds that the 16 residential customers which it proposes to serve in the new service area presently have no water service. As a result said proposed customers have been hauling water for household uses from other places. All residential customers receiving service from said facilities will be served on the basis of Petitioner's existing water rate schedule which is now on file with the Public Service Commission. Public convenience and necessity will be served by granting Petitioner a Certificate of Public Convenience and Necessity to furnish water service to the proposed new area inasmuch as water service will be available to the proposed customers in the service area as it becomes economically feasible, beginning with the proposed facilities outlined above.

IT IS THEREFORE ORDERED and ADJUDGED, that Kearney Park Utilities Company should be and it is hereby granted a permanent Certificate of Public Convenience and Necessity to operate and render water service in the new service area in Madison County, Mississippi described in Paragraph III of this Order, including the authority to construct, acquire and maintain the facilities described herein.

1988 ORDERED AND ADJUDGED, this the 17th day of September.



MISSISSIPPI PUBLIC SERVICE COMMISSION

By: Brian U. Ray
Brian U. Ray, Executive Secretary