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Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of February 26, 2025***2005-00433**

RECEIVED: 10/20/05

FILED: 11/08/05

FINAL: 04/03/06

REOPENED: 03/21/06

SUSPENSION DATE:

CASE NATURE: Nuon Global Solutions USA BV to Hydro Star, LLC

CASE CODE

Transfer / Sale / Purchase / Merger

UTILITIES:

Water Service Corporation of Kentucky

INTERVENORS: AG

INDEX OF EVENTS:

05/23/12 POST CASE: WSCK Response to 030812 Order with Confidential Petition

04/27/06 Notice of filing of North Carolina Regulatory Approval

04/27/06 Notice of completion of proposed transaction of joint applicants

04/19/06 Notice of filing of acknowledgement letters of joint applicants

04/04/06 AG notice that they have destroyed joint applicants response to PSC staff first data request exhibit 9 and that the March 8, 06 Order has been returned which contains confidential information

04/03/06 Order entered; Joint Applicant's Application for Rehearing is granted in part and denied in part

03/24/06 AG response to joint applicants motion for rehearing

03/22/06 Notice of filing of regulatory approvals from other jurisdictions from joint applicants

03/22/06 Applicants supplemental petition for confidentiality

03/21/06 Joint applicants motion for rehearing

03/16/06 Joint Applicants request to extend the deadline as required in Commission's Order of March 8, 2006 (FAX)

03/16/06 Request for PSC to extend the deadline for the CEO of each of the joint applicants to file a written acknowledgement as required by Order of March 8, 06

03/15/06 Joint Applicants request Commission to extend the deadline for the CEO's of each of the Joint Applicants to file a written acknowledgement as required by Commission's Order of March 8, 2006

03/14/06 Joint applicants petition for confidentiality

03/13/06 Joint applicants motion for the PSC to withdraw its March 8, 06 Order & issue a New Order

03/09/06 Final Order entered: (1) Subject to conditions set forth in Ordering Paragraphs 2 through 13, transfer of control is approved; (2) Chief executive officer of Highstar, Hydro Star, Utilities, and Water Service shall each file, within 7 days of Order, a written acknowledgement on behalf of his/her entity that entity accepts and agrees to be bound by commitments set forth in Appendix A to Order; (3) Joint Applicants shall file a copy of final decision or order or other forms of regulatory notification regarding proposed transaction issued by each state regulatory authority with jurisdiction over proposed transaction within 20 days of issuance of such order or notification; (4) Water Service shall not record any portion of payment for Nuon USA stock on its books; (5) Neither Highstar, Hydro Star, nor Utilities shall "push down" to Water Service any transaction related costs or any premium that Hydro Star may pay for Nuon USA stock; (6) Water Service shall not seek recovery from its ratepayers any transaction related costs or any premium that Hydro Star may pay for Nuon USA stock; (7) Neither Highstar, Hydro Star, nor Utilities shall allocate to Water Service early termination costs related to transfer of any senior management of Nuon USA or Utilities; (8) Representatives of Hydro Star and Utilities shall meet at least once annually with representatives of the Commission at the Commission's offices; [continued on another entry]

03/09/06 [continued] (9) Highstar and Hydro Star shall notify Commission subsequent to board approval and as soon as practicable following any public announcement of any acquisition of regulated or non-regulated business representing 5 percent or more of Highstar's or Hydro Star's market capitalization; (10) Companies shall adequately fund, construct, operate, and maintain Water Service's treatment, transmission, and distribution systems; comply with all applicable Kentucky statutes and administrative regulations; and supply the needs of Water Service's customers; (11) Water Service shall, for calendar year 2006 and for the next 5 years thereafter, include with its annual report, a table that shows each water quality standard imposed by law, number of water service interruptions, average employee response time to water service interruptions, number of customer complaints, and customer inquiry response time for each calendar year from 2006; (12) Water Service shall annually file its current 2-year capital and operation and maintenance budgets and an explanation for any reduction in budgeted

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item; (13) Water Service shall make no change to current method for accounting for deferred income taxes; (14) Within 10 days of the completion of the proposed transaction, companies shall file a written notice setting forth date of completion of proposed transaction.

01/17/06 Response to Commission's Second Data Request from Joint Applicants
01/06/06 Commission Staff's Second Data Request to Applicants; response due 1/17/06
12/20/05 Response of Joint Applicants to the AG's request for information
12/20/05 Response of Joint Applicants to first data request of Commission Staff
12/05/05 AG request for information from joint applicants
12/05/05 Commission Staff's First Data Request to Applicant's Response due 12/20/2005
11/30/05 Order entered granting intervention to Attorney General
11/28/05 Order entered establishing procedural schedule; the 60-day time limit for review of the pending application shall be extended for an additional 60 days to 3/8/06

11/22/05 AG's motion to intervene
11/15/05 Deficiency Cured Letter
11/08/05 Articles of Incorporation from Nuon Global
10/28/05 Deficiency Letter, Information Due 11/14/2005
10/24/05 Acknowledge Receipt of Filing
10/20/05 Transfer application proposed transfer of stock from Nuon Global Solutions USA BV to Hydro Star, LLC

Total Number of Cases: 1