

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY - CONSTRUCTION
SEWERS ONLY

Filing Requirements Checklist

(Applicable Authority: KRS 278.020(1), KRS 322.340, 807 KAR 5:001, Sections 4, 7, 14, 15(2) and 807 KAR 5:071, Section 3(1))

Case No. _____ Applicant Name _____ Received Date _____ Form Circulation Date _____

Instructions:

- 1) Each division noted by checkmark () is to complete its review and return within three business days of receipt.
- 2) This form is to list only the specific filing deficiencies as identified in the regulations. If additional information is needed, an information request must be issued.
- 3) Staff member should use initials and list date review is completed.
- 4) **Return by email to Filings Branch following review and copy all Team members.**

Reviewed by following Divisions:

Date

Staff Member

	Filings		
	Financial Analysis		
	Legal		

Division Responsible

Law/Regulation

Filing Requirement

Requirement Met

Waiver Requested

Approve Waiver?

Requirement Met		Waiver Requested	Approve Waiver?	
Yes	No		Yes	No

807 KAR 5:001:

Filings

Section 14(1)

Full name, mailing address, and e-mail address of applicant and a reference to KRS 278.020(1).

Legal

Section 4(3)

Paper signed by submitting party or attorney.

Legal

Section 4(3)

Name, address, telephone number, fax number, and e-mail address of submitting party or attorney.

Legal

Section 4(10)

Has submitting party redacted –

Division Responsible	Law/Regulation	Filing Requirement	Requirement Met		Waiver Requested	Approve Waiver?	
			Yes	No		Yes	No
<p>All filings with the Kentucky Public Service Commission which contain personal information must be redacted by the filer pursuant to 807 KAR 5:001 Sec. 4 (10). Filings which are not in compliance will be <u>rejected</u>.</p>		- All social security numbers					
		- All birthdates					
		- All financial account numbers					
		- All other personal identification information					
Legal	Section 8(4)(b)	Has submitting party optimized pdf document –					
(Electronic Case Filing only)		- Making all text pages searchable or OCR'd.					
		- Bookmarks added to distinguish sections of the paper.					
Legal	Section 14(2)	If a corporation, the applicant shall identify in the application the state in which it is incorporated and the date of its incorporation, attest that it is currently in good standing in the state in which it is incorporated, and, if it is not a Kentucky corporation, state whether it is authorized to transact business in Kentucky.					
Legal	Section 14(3)	If a limited liability company, the applicant shall identify in the application the state in which it is organized and the date on which it was organized, attest that it is in good standing in the state in which it is organized, and, if it is not a Kentucky limited liability company, state whether it is authorized to transact business in Kentucky.					
Legal	Section 14(4)	If the applicant is a limited partnership, a certified copy of its limited partnership agreement and all amendments, if any, shall be annexed to the application, or a written statement attesting that its partnership agreement and all amendments have been filed with the commission in a prior proceeding and referencing the case number of the prior proceeding.					

Division Responsible	Law/Regulation	Filing Requirement	Requirement Met		Waiver Requested	Approve Waiver?	
			Yes	No		Yes	No
Legal	Section 15(2)	(a) The facts relied upon to show that the proposed construction or extension is or will be required by public convenience or necessity.					
Legal		(b) Copies of franchises or permits, if any, from the proper public authority for the proposed construction or extension, if not previously filed with the commission.					
Legal		(c) A full description of the proposed location, route, or routes of the proposed construction or extension, including a description of the manner in which same will be constructed, and the names of all public utilities, corporations, or persons with whom the proposed construction or extension is likely to compete.					
Legal		(d)(1) Three (3) copies (one (1) in portable document format on electronic storage medium and two (2) in paper medium) of maps to suitable scale showing the location or route of the proposed construction or extension, as well as the location to scale of like facilities owned by others located anywhere within the map area with adequate identification as to the ownership of the other facilities.					
Legal		(d)(2) Plans and specifications and drawings of the proposed plant, equipment, and facilities.					
Financial Analysis		(e) The manner, in detail, in which the applicant proposes to finance the proposed construction or extension.					
Financial Analysis		(f) An estimated annual cost of operation after the proposed facilities are placed into service.					
Financial Analysis	807 KAR 5:071: Section (3)(1)	(a) A copy of a valid third-party beneficiary agreement guaranteeing the continued operation of the sewage treatment facilities or other evidence of financial integrity such as will insure the continuity of sewage service.					
Legal		(b) A copy of a preliminary approval issued by the Division of Water Quality of the Kentucky Department for Natural Resources and Environmental Protection approving the plans					

Division Responsible	Law/Regulation	Filing Requirement	Requirement Met		Waiver Requested	Approve Waiver?	
			Yes	No		Yes	No
		and specifications of the proposed construction.					
Legal		(c) A detailed map of the sewage treatment facilities showing location of plant, effluent discharge, collection mains, manholes, and utility service area.					
Legal		(d) A detailed estimated cost of construction which should include all capitalized costs (construction, engineering, legal, administrative, etc.).					
Financial Analysis		(e) A financial exhibit as described in Section 12 of 807 KAR 5:001, Section 12(2)					
		1. Amount and kinds of stock authorized.					
		2. Amount and kinds of stock issued and outstanding.					
		3. Terms of preference of preferred stock whether cumulative or participating, or on dividends or assets or otherwise.					
		4. Brief description of each mortgage on property of applicant, giving date of execution, name of mortgagor, name of mortgagee, or trustee, amount of indebtedness authorized to be secured, and the amount of indebtedness actually secured, together with any sinking fund provisions.					
		5. Amount of bonds authorized, and amount issued, giving the name of the public utility which issued the same, describing each class separately, and giving the date of issue, face value, rate of interest, date of maturity and how secured, together with amount of interest paid thereon during the last fiscal year.					
		6. Each note outstanding, giving date of issue, amount, date of maturity, rate of interest, in whose favor, together with amount of interest paid thereon during the last fiscal year.					

Division Responsible	Law/Regulation	Filing Requirement	Requirement Met		Waiver Requested	Approve Waiver?	
			Yes	No		Yes	No
		7. Other indebtedness, giving same by classes and describing security, if any, with a brief statement of the devolution or assumption of any portion of such indebtedness upon or by person or corporation if the original liability has been transferred, together with amount of interest paid thereon during the last fiscal year.					
		8. Rate and amount of dividends paid during the five (5) previous fiscal years, and the amount of capital stock on which dividends were paid each year.					
		9. Detailed income statement and balance sheet.					
Financial Analysis		(f) The manner, in detail, in which it is proposed to finance the new construction, specifically stating amount to be invested, recouped through lot sales, or contributions (to be) received, etc.					
Financial Analysis		(g) An estimated cost of operation after the proposed facilities are completed.					
Financial Analysis		(h) An estimate of the total number of customers to be served by the proposed sewage treatment facilities, initially and ultimately the class of customers served (i.e., residential, commercial, apartments, recreational, institutional, etc.) and the average monthly water consumption for each class of customer.					
Financial Analysis		(i) A copy of the latest tax returns (federal and state, if applicable) filed by the applicant.					