

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

FINAL

Entered: January 6, 2012

1/26/2012

CASE NO. 11-1429-PWD-PC

DODDRIDGE COUNTY COMMISSION
West Union, Doddridge County.

Petition for consent and approval to create the
Doddridge County Public Service District.

RECOMMENDED DECISION

On September 30, 2011, the Doddridge County Commission (County Commission) petitioned the Public Service Commission to approve the creation of a new public service district for the provision of water service serving the entire Doddridge County area, excluding the municipal area of West Union and areas currently served water service by West Union. The name of the proposed Public Service District is the Doddridge County Public Service District.

On November 4, 2011, Staff recommended that the County Commission be required to publish notice of its filing. Staff indicated that the County Commission approved the creation of the Doddridge County Public Service District at its meeting of September 21, 2011, after proper publication. The County Commission submitted an order evidencing its creation of the Doddridge County Public Service District. Finally, Staff recommended that the Public Service Commission approve the creation of a new public service district if there were no substantial protests to the creation of the district.

On November 15, 2011, the Commission referred the matter requiring a decision on or before January 17, 2012.

By Procedural Order issued November 28, 2011, the Commission was ordered to publish notice of its petition.

On December 19, 2011, the Commission filed an affidavit of publication indicating that it properly published notice of the filing. There have been no protests filed pursuant to the notice.

FINDINGS OF FACT

1. On September 13, 2011, the County Commission petitioned the Public Service Commission for approval of the creation of a new public service district to provide water service, the Doddridge County Public Service District, which would serve the entire county except for the municipal boundaries of West Union and areas currently provided water service by the Town of West Union. (See petition).

2. Staff recommended approval of the County Commission petition subject to proper publication and no substantial protest. (Staff filing of November 4, 2011).

3. The Utility properly published notice of its filing in Doddridge County in accordance with the requirements of the Procedural Order issued November 28, 2011. (Affidavit of publication filed December 19, 2011).

4. There have been no protests filed to the petition to create a new public service district. (See file generally).

CONCLUSION OF LAW

It is reasonable to consent to the creation of the Doddridge County Public Service District by the Doddridge County Commission.

ORDER

IT IS, THEREFORE, ORDERED that the Doddridge County Commission's petition for the Public Service Commission to consent to the creation of the Doddridge County Public Service District to provide water service to the entire county of Doddridge with the exception of the municipal boundaries of West Union and areas outside of West Union for which West Union currently provides water service, be, and hereby is, granted. The description of the boundaries of the Doddridge County Public Service District follows:

The Doddridge County Public Service District water service area shall be described as all the area within the boundary of the Doddridge County line on all sides, more particularly described as follows:

BEGINNING at a point, said point being a southwesterly corner of Harrison County, a northeasterly corner of Lewis County and a southeasterly corner of Doddridge County;

THENCE with the meanders of the common line of said Lewis/Doddridge County line 11.24 miles more or less to a point, said point being a northwesterly corner of Lewis County, a northeasterly corner of Gilmer County and a corner of Doddridge County;

THENCE with the common line of said Gilmer/Doddridge County line 4.55 miles more or less to a point, said point being a northwesterly corner of Gilmer County and a southeasterly corner of Ritchie County and a southwesterly corner of Doddridge Count;

THENCE with the common line of said Ritchie/Doddridge County line 14.24 miles more or less to a point, said point being a northeasterly corner of Ritchie County, a southwesterly corner of Tyler County and a corner of Doddridge County;

THENCE with the meanders of the common line of said Tyler/Doddridge County line 20.1 1 miles more or less to a point, said point being a southeasterly corner of Tyler County, a southwesterly corner to Wetzel County and corner of Doddridge County;

THENCE with the meanders of the common line of said Wetzel/Doddridge County line 6.75 miles more or less to a point, said point being a southeasterly corner of Wetzel County, a northwesterly corner of Harrison County and a northeasterly corner of Doddridge County;

THENCE with the meanders of the common line of said Harrison/Doddridge County line 33.35 miles to the point of beginning;

There is excluded from the PSD the water service area of the municipal corporation of West Union, which is described as the area encompassed by the corporate boundaries of the municipality, and the areas outside of the corporate boundaries currently served by existing municipal waterlines of the Town of West Union.

IT IS FURTHER ORDERED that the matter be removed from the open docket.

The Executive Secretary is hereby ordered to serve a copy of this order upon the Commission by hand delivery, and by electronic service upon all parties of record who have filed an e-service agreement with the Commission and by United States Certified Mail, return receipt requested, upon all parties of record who have not filed an e-service agreement with the Commission.

Leave is hereby granted to the parties to file written exceptions supported by a brief with the Executive Secretary of the Commission within fifteen (15) days of the date this order is mailed. If exceptions are filed, the parties filing exceptions shall certify to the Executive Secretary that all parties of record have been served the exceptions.

If no exceptions are so filed this order shall become the order of the Commission, without further action or order, five (5) days following the expiration of the aforesaid fifteen (15) day time period, unless it is ordered stayed by the Commission.

Any party may request waiver of the right to file exceptions to an Administrative Law Judge's order by filing an appropriate petition in writing with the Secretary. No such waiver will be effective until approved by order of the Commission.



Keith A. George
Administrative Law Judge

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