




Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: February 3, 1998
TO: Chairman Julia L. Johnson
FROM: E. Leon Jacobs, Jr., Commissioner 
RE: Docket No. 961531-WU - Application for amendment of Certificate No. 347-W to add territory in Marion County by Marion Utilities, Inc.

On January 24, 1997, Decca Utilities (Decca) filed an objection to Marion Utilities, Inc.'s (MUI) application for amendment of certificate. As a result, a formal hearing has been scheduled.

On October 3, 1997, pursuant to settlement negotiation between the parties, Decca filed an application for amendment of its certificates to include additional territory. That matter is being processed in docket No. 971157-WS. Part of the territory requested is currently included in MUI's service territory.

Subsequently, the parties filed a settlement agreement which basically provides the following:

- 1) MUI agrees to file with the Commission an application for deletion of its territory in conjunction with Decca's application in Docket No. 971157-WS;
- 2) Upon the Commission's approval of MUI's application for deletion, Decca agrees to a voluntary dismissal with prejudice of its objection in Docket No. 961531-WU.

Staff will prepare recommendations regarding MUI's application for deletion and the parties' settlement stipulation for presentation at the earliest possible Agenda Conference. Therefore, please:

- 1) Cancel the Prehearing Conference scheduled for March 25, 1998; and
- 2) Cancel the Hearing scheduled for April 15-16, 1998.

Thank you.

ELJ/TV/dr

cc: Division of Water & Wastewater (Redemann)
 Division of Legal Services (Crosby)
 Division of Records and Reporting
 Nanette Fisher, Research and Regulatory Review

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