

Public Service Commission  
Of West Virginia

Richard E. Hill  
General Counsel



Phone: (304) 340-0317  
FAX (304) 340-0325

February 24, 1994

Judy D. Cooper, Director  
Administrative Law Division  
Secretary of State Offices  
Building 1, Suite 157-K  
Charleston, WV 25305

Re: Sewer Rule 5.03 (Series 5)  
Water Rule 5.05 (Series 7)

Dear Judy:

As I discussed with you on the telephone, recently the Commission issued orders adopting rules which were filed with the Secretary of State's office. Specifically, on December 30, 1993, the Commission, by General Orders 186.5 and 188.9 issued final rules dealing with Sewer Rule 5.03 (Series 5) and Water Rule 5.05 (Series 7) dealing with system extensions. On February 2, 1994, the Commission filed final rules amending Rule 4.5 of the Sewer Rules and Rule 4.8 of the Water Rules dealing with utility discontinuance of service.

The Commission has determined that the December 30, 1993 rulemaking does not reflect what the Commission had intended to issue as final rules. Consequently, the Commission has decided to withdraw the rules and initiate the proposed rulemaking at a future date. I have enclosed a copy of the Commission Order that withdraws the rulemaking.

Finally, the February 2, 1994 rulemaking, which you received, included strike-throughs and underlining for both the rulemaking of December 30, 1993 and the rulemaking of February 2, 1994. Since the Commission has withdrawn the December 30, 1993 rulemaking, I thought it would be confusing for your people to determine which portion of the strike-throughs and underlining were still valid. To assist you in that regard, I have enclosed a copy of the rules that were filed on February 2, 1994, Series 5 and Series 7. The strike-throughs and underlining that appear in yellow are the changes that remain valid, all other strike-throughs and underlining should be ignored.

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

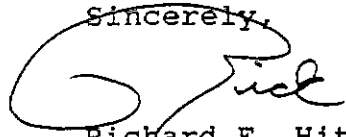
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JUDY COOPER, DIRECTOR  
FEBRUARY 24, 1994  
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Thank you for your consideration of these matters.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard E. Hitt". The signature is written in black ink and is positioned above the typed name.

Richard E. Hitt  
General Counsel

REH/jm  
Enclosures  
cc: Howard Cunningham

EXTRHITT:LCOOPER.3