

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ALTERNATIVE RATE FILING OF HILLRIDGE) CASE NO. 2010-00426
FACILITIES, INC.)

ORDER

By our Order of January 24, 2011, the Commission granted full intervention in this proceeding to Louisville-Jefferson County Metropolitan Sewer District (“MSD”). We found that, because MSD exercised regulatory authority over the replacement of Hillridge Facilities, Inc.’s (“Hillridge Facilities”) collection mains and because Hillridge Facilities’ need for replacement mains and other repair work would be significantly affected by the connection of its facilities to MSD’s facilities, MSD’s presence in this proceeding could assist us in developing facts without unduly complicating or disrupting the proceeding.

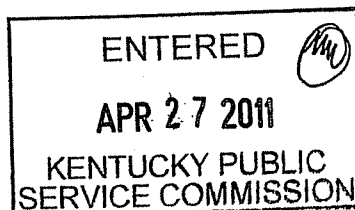
In light of our decision today to permit Hillridge Facilities to withdraw its request for a surcharge to finance replacement mains and other repair work, the Commission questions whether MSD’s continued participation in this proceeding will assist us in the development of the record. Moreover, since MSD has indicated that the only evidence that it intends to present at the scheduled hearing is testimony on “whether MSD is prepared to take flow from the customers currently served by Hillridge [Facilities] and whether the MSD system is currently available for that flow”¹ – issues that are not

¹ Louisville-Jefferson County Metropolitan Sewer District Expected Witness Order at 1 (filed Apr. 26, 2011).

relevant to the reasonableness of Hillridge Facilities' proposed rates, it appears that MSD's presence may unduly prolong and complicate this proceeding.

Accordingly, the Commission, on its own motion, HEREBY ORDERS that, prior to opening statements at the scheduled hearing on April 28, 2011, MSD shall show cause why, in light of the withdrawal of Hillridge Facilities' request for a surcharge, the Commission should not rescind MSD's intervention in this matter and dismiss MSD as a party to this proceeding.

By the Commission



ATTEST:

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