

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WOOD CREEK WATER)
DISTRICT FOR APPROVAL OF A PROPOSED) CASE NO. 2011-00209
INCREASE IN RATES FOR WATER SERVICE)
)

ORDER

On August 10, 2011, Wood Creek Water District (“Wood Creek”) tendered its application for an adjustment of its rates for water service. In its application, Wood Creek requested a waiver from 807 KAR 5:001, Section 10(6)(b), which requires the submission of written testimony. In support of its request, it states that, as Commission Staff assisted in the preparation of the application, the Commission is fully aware of the water district’s needs and that any written testimony would provide little information not already contained in its application.

Having reviewed the application and request for deviation and being otherwise sufficiently advised, the Commission finds that:

1. Good cause exists to permit Wood Creek to deviate from 807 KAR 5:001, Section 10(6)(b).
2. In all other respects, Wood Creek’s application now meets the requirements of 807 KAR 5:001, Section 10, and should be considered filed as of August 10, 2011.
3. An investigation into the reasonableness of the proposed rates is required.

4. KRS 278.180(1) requires a utility to provide the Commission with thirty (30) days' notice of any change in rates and to state plainly in such notice the time when the changed rates will go into effect.

5. As Wood Creek has not provided the Commission with notice regarding the effective date that the proposed rates would take effect, it may not place the proposed rates into effect until complying with KRS 278.180(1).

6. A proceeding should be established to investigate the reasonableness of the proposed rates.

IT IS THEREFORE ORDERED that:

1. Wood Creek's request to deviate from 807 KAR 5:001, Section 10(6)(b), is granted.

2. Wood Creek's application is considered filed as of August 10, 2011.

3. No later than October 10, 2011, Commission Staff shall file with the Commission and serve upon all parties of record a report containing its findings and recommendations on Wood Creek's application.

4. The parties shall file with the Commission their written comments on and any objections to the findings and recommendations contained in the Commission Staff Report no later than October 24, 2011, or 14 days after the date of the filing of the Commission Staff Report, whichever occurs earlier. Any party may file with such submission any additional evidence for the Commission's consideration.

5. A party's failure to file written objections to a finding or recommendation contained in the Staff Report by October 24, 2011, or 14 days after the date of the filing

of the Commission Staff Report, whichever occurs earlier. shall be deemed as agreement with that finding or recommendation.

6. No later than October 24, 2011, or 14 days after the date of the filing of the Commission Staff Report, whichever occurs earlier, each party shall notify the Commission in writing whether this matter may be submitted for decision based upon the existing record and without hearing.

7. Unless all parties request that this matter be submitted for decision upon the existing record, an informal conference shall be held in this matter on November 10, 2011 at 10:00 a.m., Eastern Standard Time, at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

8. Unless all parties request that this matter be submitted for decision upon the existing record, a formal hearing in this matter shall be held on November 29, 2011, beginning at 9:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

9. Each party shall file with the Commission, no later than November 21, 2011, a list of the persons it intends to call as witnesses at the scheduled hearing and a summary of each witness's expected testimony.

10. Wood Creek shall publish notice of the scheduled hearing in accordance with 807 KAR 5:011, Section 5, no later than November 22, 2011.


11. Pursuant to KRS 278.360, the record of the formal hearing in this matter shall be by videotape.

12. Commission Staff shall make a written exhibit list and shall file this list with the Commission with all exhibits and a copy of the video transcript of the hearing.

By the Commission

ENTERED *PR*
SEP 06 2011
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Honorable Larry G Bryson, P.S.C.
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