

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF U.S. 60 WATER DISTRICT OF)	
SHELBY AND FRANKLIN COUNTIES,)	
KENTUCKY FOR NEW NONRECURRING)	CASE NO.
CHARGES AND AN INCREASE IN EXISTING)	2014-00039
NONRECURRING CHARGES)	

ORDER

On April 4, 2014, U.S. 60 Water District of Shelby and Franklin Counties, Kentucky, Inc. ("U.S. 60") filed a motion to deviate from the notice publication requirements of 807 KAR 5:011, Section 8(2)(b) regarding non-recurring charges. Notice of proposed nonrecurring charges, if published in a newspaper, are to be published for three consecutive weeks, with the first publication made no later than the date the tariff filing is submitted to the Commission.¹

In support of its request for a deviation, U.S. 60 states that notice for Franklin County was published on February 5, 2014 in *The State Journal*. U.S. 60 filed the tariff with the Commission on February 6, 2014. The remaining two notices for Franklin County were scheduled to be published on February 12 and 19, 2014. *The State Journal* failed to publish the notices on February 12 and 19, 2014 due to a computer error, and U.S. 60 did not discover the error until it requested an Affidavit of Publication. U.S. 60 now requests a deviation to allow additional notices to be published for either two or three consecutive weeks in *The State Journal*.

¹ 807 KAR 5:011, Section 8(2)(b)(3).

U.S. 60 states that it has complied with notice publication requirements for the counties of Shelby and Spencer. On April 4, 2014, U.S. 60 filed proof of notices for the nonrecurring charges in *The Sentinel-News* for the three publications in Shelby County and in *The Spencer Magnet* for the three publications in Spencer County.

Having considered the motion, the Commission finds that:

1. On February 20, 2014, the Commission issued an Order suspending implementation of the nonrecurring charges up to and including August 31, 2014.
2. Deviations from 807 KAR 5:011 are permitted when the utility shows good cause.²
3. U.S. 60 has shown good cause and the request for a deviation from 807 KAR 5:011, Section 8(2)(b) should be granted.
4. Since one notice of the proposed nonrecurring rates has already been published in *The State Journal*, U.S. 60 should publish, within seven days from the date of this Order, the first of two consecutive weekly notices in *The State Journal*.

IT IS THEREFORE ORDERED that:

1. U.S. 60's request for a deviation from 807 KAR 5:011, Section 8(2)(b) is granted.
2. Within seven days from the date of this Order, U.S. 60 shall publish, the first of two consecutive weekly notices in *The State Journal* of the proposed nonrecurring rates.
3. Within 14 days after publication of the second weekly notice in *The State Journal*, U.S. 60 shall file an affidavit from the publisher verifying the contents of the notice, that the notice was published, and the dates of the notice's publication.

² 807 KAR 5:011, Section 15.

By the Commission

ENTERED #
APR 21 2014
KENTUCKY PUBLIC
SERVICE COMMISSION

Honorable Donald T Prather
Mathis, Riggs & Prather, P.S.C.
500 Main Street, Suite 5
Shelbyville, KENTUCKY 40065