

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PROPOSED ADJUSTMENT OF THE WHOLESALE)	
WATER SERVICE RATES OF THE CITY OF)	CASE NO.
SALYERSVILLE)	2015-00151

ORDER

On May 4, 2015, the city of Salyersville (“Salyersville”) filed with the Commission its revised tariff sheet setting forth its proposed adjustment to its existing rate for wholesale water service to Magoffin County Water District (“Magoffin District”) effective for service provided on and after June 10, 2015. On May 11, 2015, Magoffin District filed with the Commission a letter objecting to the proposed adjustment on the grounds that the adjustment is in violation of the water purchase contract between Salyersville and Magoffin District.

The Commission determined that, pursuant to KRS 278.190, further proceedings are necessary to determine the reasonableness of the proposed rate adjustment, and on May 18, 2015, the Commission entered an Order suspending Salyersville’s proposed rate for wholesale water service for five months from June 10, 2015, up to and including November 9, 2015.¹ The Commission established a procedural schedule and required

¹ Order (May 18, 2015) at 1.

Salyersville to file with the Commission, no later than June 8, 2015, responses to requests for information attached in Appendix B to the May 18, 2015 Order.²

The Commission's service of Orders by electronic transmission is authorized pursuant to KRS 278.380. The May 18, 2015 Order was served by electronic transmission to salyersvillewater@gmail.com, the electronic mail address placed on file with the Commission by Salyersville. Salyersville failed to file responses to the requests for information on or before June 8, 2015.

On June 15, 2015, Commission Staff ("Staff") contacted Salyersville Water Works and was referred to the attorney for the city of Salyersville.³ Staff thereafter contacted the attorney for the city of Salyersville and stated that Salyersville needed to file its response to the requests in the Commission's May 18, 2015 Order, and that it needed to file a request for an extension of time for the Commission to accept the filing.⁴ Staff also indicated that if Salyersville wanted to add an additional electronic mail address for the service list in Case No. 2015-00151, Salyersville could include such a request as part of a filing with the Commission.⁵

On June 30, 2015, the attorney for the Salyersville Water Works contacted Staff by electronic mail.⁶ The attorney for Salyersville stated that he had recently been

² *Id.*, Appendix B at 2.

³ Staff Notice of document being filed in the record, June 25, 2015.

⁴ *Id.* The June 15, 2015 electronic mail message sent by Staff to counsel for Salyersville contains a link to the Commission's May 18, 2015 Order.

⁵ *Id.*

⁶ Staff Notice of document being filed in the record, July 28, 2015.

hospitalized and had not been released until the prior weekend.⁷ He further stated that Salyersville was in negotiation with Magoffin District and that Salyersville would file a motion for extension of time to submit its responses, as well as the responses to the Commission's May 18, 2015 Order.⁸

Salyersville has not filed its response to the requests in the Commission's May 18, 2015 Order, and Salyersville has not requested an extension of time for complying with the May 18, 2015 Order or modification of the procedural schedule contained in Appendix A to the May 18, 2015 Order.

The Commission finds that:

1. The Commission's May 18, 2015 Order in this proceeding established a procedural schedule and required Salyersville to provide a response to a request for information contained in Appendix B of the Order.

2. Pursuant to the authority of KRS 278.380, the Commission served its May 18, 2015 Order by electronic transmission to Salyersville using the electronic mail address that Salyersville had placed on file with the Commission.

3. Salyersville did not file a response to the request for information contained in Appendix B of the May 18, 2015 Order on or before June 8, 2015, as required by that Order.

4. Commission Staff contacted Salyersville and its counsel, the attorney for the city of Salyersville, on June 15, 2015, concerning Salyersville's failure to file a response to the May 18, 2015 Order.

⁷ *Id.*

⁸ *Id.*

5. Salyersville has not filed any response to the request for information contained in Appendix B of the May 18, 2015 Order.

6. Salyersville has not requested an extension of time for complying with the May 18, 2015 Order, and Salyersville has not requested a modification of the procedural schedule established by the May 18, 2015 Order.

7. The procedural schedule established by the May 18, 2015 Order should be suspended.

IT IS THEREFORE ORDERED that:

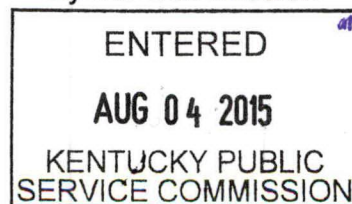
1. Salyersville shall file its response to the request for information contained in Appendix B to the Commission's May 18, 2015 Order within seven days of this Order.

2. The procedural schedule set forth in Appendix A to the Commission's May 18, 2015 Order is suspended pending further Order of the Commission.

3. Ordering paragraph 5, sub-parts a through f, Ordering paragraph 7, and Ordering paragraph 8 of the May 18, 2015 Order shall remain in full force and effect as if separately ordered herein.

4. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission



ATTEST:



Executive Director

Case No. 2015-00151

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