

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF HARDIN COUNTY WATER DISTRICT	)	
NO. 1 FOR A CERTIFICATE OF PUBLIC	)	CASE NO.
CONVENIENCE AND NECESSITY TO CONSTRUCT A	)	2016-00075
WHOLESALE INTERCONNECT FACILITY TO THE	)	
LOUISVILLE WATER COMPANY	)	

ORDER

On February 5, 2016, Hardin County Water District No. 1 ("Hardin No. 1") submitted an application requesting a Certificate of Convenience and Public Necessity authorizing construction of an interconnection between Hardin No. 1 and the Louisville Water Company ("LWC"). On February 10, 2016, Hardin No. 1 filed a request for deviation or waiver from the requirements of 807 KAR 5:001, Section 7(1), which requires, when not using electronic filing procedures, the filing of an original and ten additional copies in paper medium of each paper filed with the Commission. In lieu of the original and ten copies of the application, Hardin No. 1 filed the original and three copies.<sup>1</sup>

Hardin No. 1 states that the specifications for this project include approximately 570 pages; therefore, seven additional copies would require printing and binding of, approximately, an additional 4,000 pages.<sup>2</sup> Hardin No. 1 supplied the plans and

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<sup>1</sup> Request for Deviation (filed Feb. 10, 2016) at 1.

<sup>2</sup> *Id.*

specifications on a compact disc.<sup>3</sup> Hardin No. 1 states that the construction plans/drawings comprise 55 sheets, and it would cost approximately \$1,500 to produce another seven sets of the plans/drawings because Hardin No. 1 does not own a bluesheet production copier.<sup>4</sup>

#### Discussion

807 KAR 5:001, Section 7(1), filing procedures, states:

Unless the commission orders otherwise or the electronic filing procedures established in Section 8 of this administrative regulation are used, if a paper is filed with the commission, an original unbound and ten (10) additional copies in paper medium shall be filed.

807 KAR 5:001, Section 22, deviation from rules, states:

In special cases, for good cause shown, the commission may permit deviations from these rules.

The Commission finds that Hardin No. 1 did not make an election to use electronic filing procedures in this case; therefore, 807 KAR 5:001, Section 7(1), requires Hardin No. 1 to file an original unbound and ten additional copies in paper medium when it files a paper with the Commission. 807 KAR 5:001, Section 22, permits Hardin No. 1 to seek a deviation from the filing requirement; however, Hardin No. 1 must demonstrate good cause in order for the Commission to permit the deviation.

Having reviewed the request and being otherwise sufficiently advised, the Commission finds that the burden associated with the production of seven additional sets of the construction plans/drawings at a cost of approximately \$1,500 for this project

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<sup>3</sup> *Id.* The construction plans and specifications are included in a compact disc supplied with Exhibit No. 6 of the application. The Commission notes that Hardin No. 1 also supplied an oversized map of the project and a compact disc containing an overall layout with Exhibit No. 5 of the application.

<sup>4</sup> *Id.*

is sufficiently burdensome to allow a deviation. We further find that the specifications for the project are sufficiently voluminous to allow a deviation. The Commission finds that Hardin No. 1 should be allowed to deviate from the requirement of 807 KAR 5:001, Section 7(1), for the filing of the original and ten copies in paper medium for its plans and specifications and its construction plans/drawings. The Commission finds that it should accept the original and three copies in paper medium for each item. The Commission further finds that, unless ordered otherwise, Hardin No. 1 should be permitted to file an original unbound and three additional copies in paper medium of its subsequent filings in this proceeding.

IT IS THEREFORE ORDERED that:

1. Hardin No. 1's request for a deviation from the requirement of 807 KAR 5:001, Section 7(1), regarding the filing of ten additional copies in paper medium for its application is granted.

2. Hardin No. 1, unless ordered otherwise, is permitted to hereafter file an original unbound and three additional copies in paper medium when filing a "paper," as the term is defined by 807 KAR 5:001, Section 1(9), with the Commission in this proceeding.

3. Hardin No. 1's application in this case is accepted for filing as of the date of this Order.

By the Commission

ENTERED  
FEB 26 2016  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

*Aaron D. Grunwell*  
Acting Executive Director *for*

Case No. 2016-00075

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