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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of May 20, 2024***2017-00417**

RECEIVED: 09/13/17

FILED: 09/13/17

FINAL: 07/12/18

REOPENED:

SUSPENSION DATE: 04/14/18

**CASE CODE**

Wholesale Rate Adjustment

**UTILITIES:**

Lebanon Water Works

Marion County Water District

**HEARINGS:**

06/20/18

Formal Hearing

**INDEX OF EVENTS:**

- 11/09/18 Order Entered: 1. Marion District's motion for deviations from 807 KAR 5:068, Section 7, is granted. 2. The refund plan outlined in its September 26, 2018 filing is approved. 3. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.
- 09/26/18 POST CASE: L. Allyson Honaker Marion County Water District Report of Refund and Request for Deviation
- 09/13/18 POST CASE: Mary Ellen Wimberly Lebanon Water Works Company Notice of Refund Payment
- 08/10/18 POST CASE: Mary Ellen Wimberly Lebanon Water Works Company Lebanon Water Works Companys Refund Report
- 07/31/18 Order Entered nunc pro tunc: 1. Finding paragraph 5 is stricken and replaced with the following: Within 30 days of the date of this Order, Lebanon Water should file with the Commission a report on the amount of excess revenues collected from April 16, 2018, through the date of this Order and a plan for refunding these revenues. This report shall include interest for the period the excess revenues were collected at the average of the Three-Month Commercial Paper Rate as reported in the Federal Reserve Bulletin and the Federal Reserve Statistical Release. Lebanon Water shall include in its report its plan to refund the excess revenues collected and the associated interest within 60 days of the date of this Order, as required by KRS 278.1 90(4). 2. Ordering paragraph 2 is stricken and replaced with the following: The rates and charges found reasonable herein and set forth in Appendix B to this Order are approved for the provision of wholesale water service rendered by Lebanon Water on and after April 16, 2018. 3. Ordering paragraph 3 is stricken and replaced with the following: Within 30 days of the date of this Order, Lebanon Water shall file with the Commission a report on the amount of excess revenues collected from April 16, 2018, through the date of this Order and a plan for refunding these revenues.
- 07/12/18 Final Order Entered: 1. The wholesale rates proposed by Lebanon Water are denied. 2. The rates and charges found reasonable herein and set forth in Appendix B to this Order are approved for the provision of wholesale water service rendered by Lebanon Water on and after July 12, 2018. 3. Within 30 days of the date of this Order, Lebanon Water shall file with the Commission a report on the amount of excess revenues collected from April 14, 2018, through the date of this Order and a plan for refunding these revenues. This report shall include interest for the period the excess revenues were collected at the average of the Three-Month Commercial Paper Rate as reported in the Federal Reserve Bulletin and the Federal Reserve Statistical Release. Lebanon Water shall include in its report its plan to refund the excess revenues collected and the associated interest within 60 days of the date of this order, as required by KRS 278.190(4). 4. Within 20 days of the date of this Order, Lebanon Water shall file with this Commission, using the Commission's electronic Tariff Filing System, revised tariff sheets setting out the rates approved herein and reflecting that they were approved pursuant to this Order. 5. Any documents filed pursuant to ordering paragraph No. 3 and 4 of this Order shall reference the case number of this matter and shall be retained in the utility's general correspondence files.
- 07/06/18 Mary Ellen Wimberly Lebanon Water Works Company Lebanon Water Works Companys Reply Brief
- 07/03/18 David S. Samford Marion County Water District Post-Hearing Brief
- 06/29/18 Mary Ellen Wimberly Lebanon Water Works Company Post-Hearing Brief
- 06/27/18 Mary Ellen Wimberly Lebanon Water Works Company Lebanon Response to Marion Districts Post-Hearing Request for Information
- 06/27/18 Mary Ellen Wimberly Lebanon Water Works Company Response of Lebanon Water Works Company to the Public Service Commission Staffs Post-Hearing Request for Information

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06/27/18 Mary Ellen Wimberly Lebanon Water Works Company Supplemental Response of Lebanon Water Works Company to the Public Service Commissions Second Request for Information

06/25/18 Notice of Filing Hearing Documents

06/25/18 L. Allyson Honaker Marion County Water District Response to post-hearing data request

06/21/18 Commission Staff's Post-Hearing Request for Information to Marion County Water District

06/21/18 Commission Staff's Post-Hearing Request for Information to Lebanon Water Works

06/21/18 David S. Samford Marion County Water District Post-Hearing Data Requests

06/20/18 Order Entered: 1. Post hearing data requests shall be filed in the record on or before Thursday, June 21, 2018. 2. Responses to post hearing data requests shall be filed in the record on or before Wednesday, June 27, 2018. 3. Lebanon Water Works shall file its post hearing brief on or before Friday, June 29, 2018. 4. Marion County Water District shall file its Post hearing brief on or before Tuesday, July 3, 2018. 5. Lebanon Water Works reply brief shall be fi led on or before Friday, July 6, 2018. 6. This case shall stand submitted for decision by the Commission effective 12:01 a.m., Eastern Daylight Time, on Saturday, July 7, 2018.

06/19/18 David S. Samford Marion County Water District Errata Sheet

06/19/18 Mary Ellen Wimberly Lebanon Water Works Company Updated Exhibit 3-1 of the Response to Commission Staffs Third Request for Information, which was inadvertently not included with the Companys Errata Filing

06/15/18 Mary Ellen Wimberly Lebanon Water Works Company Errata Filing to correct Exhibit 3-1 of the Response to Commission Staffs Third Request for Information

06/13/18 Mary Ellen Wimberly Lebanon Water Works Company Response to Commission Staffs Third Request for Information

06/13/18 Mary Ellen Wimberly Lebanon Water Works Company Notice of Filing of Witness and Exhibit Lists

06/13/18 David S. Samford Marion County Water District Witness and Exhibit List

06/08/18 Mary Ellen Wimberly Lebanon Water Works Company Rebuttal Testimonies of Daren Thompson and Holly Nicholas

06/08/18 Commission Staff's Third Request for Information to Lebanon Water Works

06/07/18 Order Entered: 1. Lebanon and Marion District shall appear on June 20, 2018, at 9:00 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky for the purposes of presenting evidence on Lebanon's proposed water rate increase, and including, but not limited to, any comments included in their filed testimony and responses to requests for information. 2. This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing. 3. Lebanon and Marion District shall file with the Commission, no later than June 13, 2018, seven days prior to hearing, a list of witnesses and exhibits to be presented at the June 20, 2018 hearing. Lebanon and Marion District shall provide six copies of any exhibit it intends to introduce into evidence at the hearing.

06/04/18 David S. Samford Marion County Water District Responses to Information Requests

05/24/18 Mary Ellen Wimberly Lebanon Water Works Company First Request for Information to Marion County Water District

05/14/18 L. Allyson Honaker Marion County Water District Direct Testimony

05/04/18 Mary Ellen Wimberly Lebanon Water Works Company Letter regarding appearance of bookmarks in file titled "Lebanon\_Response\_to\_PSC\_Request\_for\_Information"

05/03/18 Mary Ellen Wimberly Lebanon Water Works Company Response to Commission Staffs Second Request for Information

05/03/18 Mary Ellen Wimberly Lebanon Water Works Company Response to Marion County Water Districts Supplemental Requests for Information

04/23/18 Commission Staff's Second Request for Information to Lebanon Water Works

04/23/18 David S. Samford Marion County Water District Supplemental Requests for Information

04/13/18 Mary Ellen Wimberly Lebanon Water Works Company Notice of Intent to Place Proposed Rates into Effect

04/12/18 Mary Ellen Wimberly Lebanon Water Works Company Response to Marion County Water Districts Request for Information

04/02/18 David S. Samford Marion County Water District Requests for Information to Lebanon Water Works

03/21/18 Mary Ellen Wimberly Lebanon Water Works Company Direct Testimonies of Daren Thompson and Holly Nicholas

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03/19/18 Order Entered: 1. Lebanon Water's Motion to Modify Procedural Schedule is granted. 2. The procedural schedule set forth in the Commission's Order of February 28, 2018, is stricken and is replaced with the procedural schedule set forth in the Appendix to this Order.

03/14/18 David S. Samford Marion County Water District Marion County Water Districts Request for Information to Lebanon Water Works

03/07/18 Mary Ellen Wimberly Lebanon Water Works Company Lebanon Water Works Companys Response to Commission Staffs Request for Information

03/06/18 Mary Ellen Wimberly Lebanon Water Works Company Lebanon Water Works Companys Reply to Marion County Water Districts Response to Motion to Modify Procedural Schedule

03/05/18 David S. Samford Marion County Water District Response to Motion to Modify Procedural Schedule

03/02/18 Mary Ellen Wimberly Lebanon Water Works Company Motion to Modify Procedural Schedule

02/28/18 Order Entered: 1. The procedural schedule set forth in Appendix A, attached hereto and incorporated herein, shall be followed in this proceeding. 2. Marion District has filed a timely request for a hearing in its protest letter of September 19, 2017, which will be scheduled no later than April 02, 2018. 3. a. The information requested in Appendix B to this order shall be filed by the date set forth in Appendix A. Responses to requests for information shall be appropriately bound, tabbed, and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided, with copies to all parties of record, and the original and ten copies to the Commission. b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry. c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

02/19/18 Gerald E. Wuetcher Lebanon Water Works Response to Motion for Leave to File Sur-Reply

02/16/18 David S. Samford Marion County Water District Motion for Leave to file Sur-Reply and attached Sur-Reply

02/12/18 Mary Ellen Wimberly Lebanon Water Works Company Lebanon Water Works Companys Reply to Response to Motion for an Order Establishing a Procedural Schedule and Assigning Burden of Proof

02/07/18 L. Allyson Honaker Marion County Water District Entry of Appearance and Response to Motion

01/31/18 Mary Ellen Wimberly Lebanon Water Works Company Lebanon Water Works Companys Motion for an Order Establishing a Procedural Schedule and Assigning Burden of Proof

12/19/17 Order Entered: 1. Marion District's request for electronic filing for this case is granted. 2. The style of this case shall be amended to use the word "Electronic" as set forth above, and all future correspondence or filings in connection with this case shall reference the above style and case number. 3. All documents submitted in this proceeding shall comply with the Commission's rules of procedure as set forth in 807 KAR 5:001, and any deviation from these rules shall be submitted in writing to the Commission for consideration. 4. Any party filing a paper shall upload an electronic version using the Commission's E-Filing System and shall file an original and one copy in paper medium. 5. Any request for confidential treatment of material submitted shall conform to the requirements of 807 KAR 5:001, Section 13. 6. Materials submitted to the Commission that do not comply with the rules of procedure or that do not have an approved deviation are subject to rejection pursuant to 807 KAR 5:001, Section 3.

11/21/17 Lebanon Water Works Company Entry of Appearance and Statement Regarding Electronic Filing

11/13/17 Order Entered: 1. Lebanon Water's proposed rates for wholesale water service are suspended for five months from November 15, 2017, to April 14, 2018. 2. Marion District is made a party to this case. 3. Lebanon Water shall, within ten days of the date of this Order, state its position on the use of electronic filing procedures and whether it has any objection to their use in this proceeding. 4. Requests for intervention shall be filed no later than November 29, 2017. Any party who submits a motion to intervene after November 29, 2017, and upon a showing of good cause is granted full intervention, shall accept and abide by the existing procedural schedule.

09/25/17 Marion County Water District Protest Letter

09/13/17 Lebanon Water Works Company Proposed Water Rate Increase