

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of

THE APPLICATION OF BARKLEY)
LAKE WATER DISTRICT FOR A)
CERTIFICATE THAT PUBLIC)
CONVENIENCE AND NECESSITY)
REQUIRES THE CONSTRUCTION) CASE NO. 8264
OF NEW PLANT FACILITIES AND)
FOR AN ORDER AUTHORIZING)
ADJUSTMENT OF WATER SERVICE)
RATES AND CHARGES)

ORDER DENYING REHEARING

On March 10, 1982, the Commission entered an order granting Barkley Lake Water District ("Barkley Lake") \$7,367 in additional operating revenues or 3.6 percent of its requested increase of \$206,233. On March 24, 1982, Barkley Lake filed a motion for rehearing, requesting that the Commission reconsider the rate increase granted in the order of March 10, 1982. The central issue in its motion is Barkley Lake's contention that it met the burden of proof to justify a rate increase larger than that granted in the Commission's order.

In its Memorandum attached to its motion for rehearing, Barkley Lake failed to raise any issues that were not previously discussed in the Commission's order of March 10, 1982. The grounds on which Barkley Lake requests a rehearing have previously been rejected by the Commission.

In its review and analysis of Barkley Lake's filing, the Commission searched the record for evidence justifying any rate increase. In its motion for rehearing, Barkley Lake failed to offer new proof, specific references to documents or other evidence to support the proposals rejected in the Commission's order of March 10, 1982.

KRS 278.400 states in part, "...Upon rehearing any party may offer additional evidence that could not with reasonable diligence have been offered on the former hearing." Barkley Lake has made no allegation of new evidence which would justify a modification of the order issued by the Commission.

IT IS THEREFORE ORDERED that the motion of Barkley Lake be and hereby is denied.

Done at Frankfort, Kentucky, this 13th day of April, 1982.

PUBLIC SERVICE COMMISSION

Marlin M. Voh
Chairman

Katherine Randall
Vice Chairman

Donna L. ...
Commissioner

ATTEST:

Secretary