

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NOTICE OF ADJUSTMENT OF THE RATES OF )  
KENTUCKY-AMERICAN WATER COMPANY ) CASE NO. 91-361

O R D E R

On November 27, 1991, Kentucky-American Water Company ("Kentucky-American") filed a motion and response to the Commission's letter dated November 22, 1991, rejecting for filing Kentucky-American's rate application. The rate application, received on November 15, 1991, was rejected due to filing deficiencies under 807 KAR 5:001, Sections 6 and 10. In its response, Kentucky-American contends that the exhibits filed with its rate application satisfy the minimum filing requirements set forth in the Commission's regulations and urges that its application be deemed filed as of November 15, 1991. Alternatively, Kentucky-American seeks by its motion to amend the application tendered on November 15, 1991 to include the aforementioned response, and accept the amended application for filing as of November 15, 1991.

In its response, Kentucky-American includes a detailed examination of the specific filing deficiencies noted in the Commission's November 22, 1991 letter. Kentucky-American claims that the information contained in its application satisfies all but one of the minimum filing requirements and should not have

been deemed deficient. The one exception, arising under 807 KAR 5:001, Section 6(6), relates to the date of issue, date of maturity, and rate of interest for a note. Kentucky-American characterizes this deficiency as minor and urges that the financial consequences resulting from the designation of a filing date subsequent to November 15, 1991 are not justified in this case.

On December 4, 1991, Kentucky-American filed a further motion requesting that its November 15, 1991 application, as amended on November 27, 1991, be accepted for filing as of November 15, 1991, or, alternatively, that it be deemed accepted for filing on November 27, 1991.

Based on the motions and being advised, the Commission hereby finds that Kentucky-American's rate application as received on November 15, 1991 did not comply with Commission Regulation 807 KAR 5:001, Section 6(6). As a result of this deficiency, the application was properly rejected pursuant to 807 KAR 5:001, Section 2(2). Having cured the deficiency by the response tendered on November 27, 1991, Kentucky-American's application should be accepted for filing as of that date.

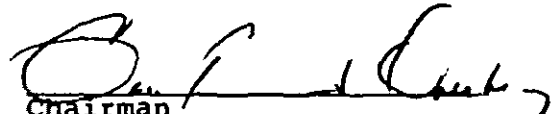
IT IS THEREFORE ORDERED that:

1. Kentucky-American's motion be and it hereby is granted to the extent that its rate application received on November 15, 1991 and amended on November 27, 1991 be and it hereby is accepted for filing as of November 27, 1991.

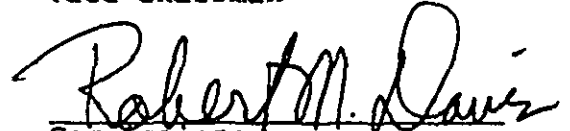
2. Kentucky-American shall refile its proposed tariffs reflecting an effective date of December 27, 1991.

Done at Frankfort, Kentucky, this 12th day of December, 1991.

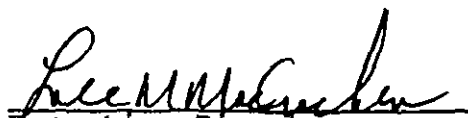
PUBLIC SERVICE COMMISSION

  
Chairman

Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director