

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DELORES HESS, ET AL.

COMPLAINANTS

VS.

EAST CLARK COUNTY WATER DISTRICT

DEFENDANT

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) CASE NO. 93-286  
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O R D E R

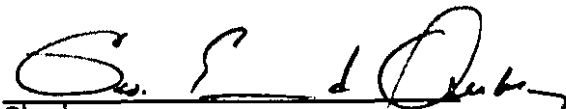
On September 7, 1993, the Commission rejected the complaint in this matter and granted Complainants 20 days in which to file an amended complaint which set forth a prima facie case. Complainants have tendered an amended complaint.


Having reviewed the amended complaint, the Commission finds that it suffers from the same deficiencies as the original. Complainants seek reconsideration of issues previously addressed in East Clark County Water District's application for rate adjustment. The time for requesting reconsideration, however, has passed. KRS 278.400. Moreover, the amended complaint still fails to allege sufficient facts to set forth a prima facie case. Finally, insofar as the relief sought would produce revenues less than required to operate successfully and maintain its financial integrity, Commission lacks the authority to grant it. Pub. Serv. Comm'n v. Dewitt Water Dist., Ky., 720 S.W.2d 725 (1986).

IT IS THEREFORE ORDERED that the complaint is dismissed without prejudice.

Done at Frankfort, Kentucky, this 20th day of October, 1993.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director