

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF NORTH SHELBY)	
WATER DISTRICT FOR A PURCHASED)	CASE NO. 95-387
WATER ADJUSTMENT)	

O R D E R

On September 6, 1995, North Shelby Water District ("North Shelby") filed an application with the Public Service Commission ("Commission") for the purpose of adjusting its rates pursuant to the purchased water adjustment procedure under KRS 278.012 and 807 KAR 5:068. North Shelby purchases water from the Frankfort Electric and Water Plant Board ("Frankfort"), a municipal utility. On September 13, 1995, Frankfort notified North Shelby that its wholesale rates would be increased. Frankfort had not filed its new rates with the Commission at that time.

According to the Commission's Order in Administrative Case No. 351¹ and KRS 278.160, contracts and rate schedules filed with the Commission control the rates and conditions of service of the parties. Changes to those on file with the Commission must be made in accordance with KRS 278.180 and Commission Regulation 807 KAR 5:011. Until such changes are approved by the Commission, the old contracts and rate schedules remain in effect. Thus, as

¹ Administrative Case No. 351, Submission of Contracts and Rates of Municipal Utilities Providing Wholesale Utility Service to Public Utilities. (Ky. P.S.C., August 10, 1994)

Frankfort's new rates had not been approved by the Commission, North Shelby's application for the purpose of adjusting its rates pursuant to the purchased water adjustment procedure was denied without prejudice on October 6, 1995.


On September 27, 1995, Frankfort filed with the Commission a copy of its notice to increase its wholesale rates and requested Commission approval of the rates.


On October 16, 1995, North Shelby, by letter, requested that the Commission re-open Case No. 95-387, as Frankfort had filed the necessary documents with the Commission. Having found that good cause exists and being otherwise sufficiently advised, the Commission finds that North Shelby's request should be granted.


IT IS THEREFORE ORDERED that Case No. 95-387 shall be re-opened effective October 16, 1995.

Done at Frankfort, Kentucky, this 1st day of November, 1995.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director