

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NOTICE OF ADJUSTMENT OF RATES OF) CASE NO.
KENTUCKY-AMERICAN WATER COMPANY) 97-034

O R D E R

On March 19, 1997, Chetan Talwalkar filed a letter with the Commission requesting full intervenor status on the grounds that he is a recipient of Kentucky-American Water Company's ("Kentucky-American") service and he has been a full intervenor in the last four Commission proceedings involving Kentucky-American.

Kentucky-American filed a response in opposition to Talwalkar's request for full intervention. Kentucky-American states that Talwalkar is not a customer and to grant him status as a full intervenor would violate Commission regulation 807 KAR 5:001, Section 3(8). Kentucky-American suggests that Talwalkar be permitted to participate only as a limited intervenor, thereby obviating the need to serve him with a copy of every document filed in the record.

Based on the motion and the response, and being otherwise sufficiently advised, the Commission finds that to be granted the status of a full intervenor in a utility proceeding, one typically must be a customer of the utility. Talwalkar was granted full intervenor status in Kentucky-American's last three rate cases and the pending formal investigation of its sources of supply and future demand. His intervention was granted in two of these cases before the Commission was aware that he was not a customer of Kentucky-American.

While the Commission does not intend to relax the regulatory requirement that one must have a special interest to be a full intervenor, we recognize that precedent has been established in prior Kentucky-American cases regarding intervention by Talwalkar. His participation in these prior cases has not been unduly burdensome and under these circumstances his full intervention should be allowed here.

IT IS THEREFORE ORDERED that:


1. Chetan Talwalkar shall be granted full intervention in this proceeding.
2. Chetan Talwalkar shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
3. Should Chetan Talwalkar file documents of any kind with the Commission in the course of these proceedings, he shall also serve a copy of said documents on all other parties of record.

Done at Frankfort, Kentucky, this 11th day of April, 1997.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director