

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN APPLICATION OF THE SHELBYVILLE	)	
MUNICIPAL WATER AND SEWER COMMISSION	)	CASE NO. 99-379
FOR A RATE ADJUSTMENT TO NORTH SHELBY	)	
WATER DISTRICT	)	

O R D E R

On September 8, 1999, the Shelbyville Municipal Water and Sewer Commission ("Shelbyville"), pursuant to Administrative Regulation 807 KAR 5:001, Section 10(2), provided written notice to this Commission of its intent to file a rate application. Almost 6 months have passed since Shelbyville provided its original notice, but no rate application has yet been filed. The purpose of Administrative 807 KAR 5:001, Section 10(2),<sup>1</sup> is to ensure prompt and expeditious review of the rate applications of large utilities by allowing the Commission to prepare for immediate review of these applications upon their filing. Permitting long and indeterminate delays between the filing of a notice of intent and the actual filing of the rate application frustrates the purpose of this regulation.

Accordingly, the Commission finds that this docket should be closed for lack of prosecution and that Shelbyville's notice of intent of filing is insufficient for any future rate application. In the event that Shelbyville decides to proceed with the filing of a rate

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<sup>1</sup> "Notice of intent. Utilities with gross annual revenues greater than \$1,000,000 shall file with the commission a written notice of intent to file a rate application at least four (4) weeks prior to filing their application. The notice of intent shall state whether the rate application will be supported by a historical test period or a fully forecasted test period. This notice shall be served upon the Attorney General, Utility Intervention and Rate Division."

application, such filing should be preceded by a new notice of intent consistent with Administrative Regulation 807 KAR 5:001, Section 10(2).

The Commission further finds that, by our action this day, the Attorney General's ("AG") motion for intervention in this proceeding is rendered moot and, therefore, should be denied.

IT IS THEREFORE ORDERED that:

1. Shelbyville's notice of intent and this case are dismissed for lack of prosecution.

2. Shelbyville shall comply with 807 KAR 5:001, Section 10(2), prior to filing a rate application with the Commission.

3. The AG's motion for intervention is denied.

Done at Frankfort, Kentucky, this 14<sup>th</sup> day of March, 2000.

By the Commission

ATTEST:

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Executive Director