

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN ADJUSTMENT OF RATES OF	)	
THE HARRISON COUNTY WATER	)	CASE NO. 99-409
ASSOCIATION, INC.	)	

O R D E R

On September 29, 1999, Harrison County Water Association, Inc. ("Harrison County") applied to the Commission for an adjustment in rates. The application was reviewed by Commission Staff and rejected pursuant to 807 KAR 5:001, Section 2, for failure to meet the minimum filing requirements. A letter from the Commission was sent to Harrison County on November 2, 1999, outlining the deficiencies. In an effort to cure the deficiencies noted, Harrison County filed additional documents on November 17, 1999 and November 22, 1999. Harrison County included in its November 17, 1999 filing a request for permission to deviate from the 4-week notice requirement of Administrative Regulation 807 KAR 5:001, Section 10(2).

Administrative Regulation 807 KAR 5:001, Section 10(2), requires a utility with gross annual revenues exceeding \$1,000,000 to file with the Commission a written notice of intent to file a rate application at least 4 weeks prior to filing its application. The filing must state whether the rate application will be supported by a historical or fully forecasted test period and is to be served upon the Attorney General, Utility and Rate Intervention Division ("Attorney General").

Harrison County states in support of its request that it caused a letter to be written to the Executive Director of the Commission on May 19, 1999 stating that its

Board of Directors had voted to apply for an increase in rates and requested staff assistance in preparing the application. Thereafter, Commission Staff and Harrison County worked to prepare the application to be filed by Harrison County. Upon completion of the application, Harrison County filed it with the Commission believing that no further notice was required. On November 16, 1999, Harrison County sent a letter to the Attorney General enclosing a copy of the rate application and explaining its failure to provide the 4-week notice required by 807 KAR 5:001, Section 10(2). A request for full intervention was filed by the Attorney General on January 19, 2000. Full intervention was granted on January 24, 2000. No comments or objections to the request for deviation have been filed by the Attorney General.

The Commission, having reviewed the record and being otherwise sufficiently advised, finds that good cause has been shown by Harrison County for its request to deviate from the 4-week notice requirement of 807 KAR 5:001, Section 10(2), and that the request should be granted. The Commission further finds that the application should be considered filed as of November 22, 1999, the date Harrison County filed the last remaining filing requirement.

IT IS THEREFORE ORDERED that:

1. Harrison County's request for permission to deviate from the 4-week notice requirement of Administrative Regulation 807 KAR 5:001, Section 10(2), is granted.
2. Harrison County's rate application shall be considered filed as of November 22, 1999.

Done at Frankfort, Kentucky this 24<sup>th</sup> day of February, 2000.

By the Commission

ATTEST:

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Executive Director