

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ADJUSTMENT OF THE RATES OF KENTUCKY-) CASE NO.
AMERICAN WATER COMPANY) 2000-120

ORDER

Chetan Talwalkar has submitted a request for full intervention in this proceeding which the Commission will consider as a motion for full intervenor status. Kentucky-American Water Company ("Kentucky-American") has responded in opposition to this motion. Having considered the motion and response thereto, we deny.

On April 19, 2000, Chetan Talwalkar submitted to the Commission his motion for full intervenor status. In support of his motion, he stated that he had been permitted to intervene in "Kentucky-American Water Company's cases since 1992 focusing on the Company's conservation programs and their proposed Louisville pipeline project." He further stated his belief that these issues would be raised in this proceeding.

Contending that Mr. Talwalkar fails to meet the prerequisites for full intervenor status, Kentucky-American opposes his motion. It asserts that Mr. Talwalkar is not a customer of Kentucky-American. It further asserts that Mr. Talwalkar's interests, as a member of the public and as a resident of Lexington-Fayette County, are adequately represented by the Attorney General and by the Lexington-Fayette Urban County Government, both of whom have been afforded full intervenor status. Finally, it asserts that Mr. Talwalkar has no special training or experience to develop issues or facts that may assist the Commission in this case.

Administrative Regulation 807 KAR 5:001, Section 3(8), which governs intervention in Commission proceedings, provides:

If a person granted leave to intervene desires to be served with filed testimony, exhibits, pleadings, correspondence and all other documents submitted by parties, and to be certified as a party for the purposes of receiving service of any petition for rehearing or petition for judicial review, he shall submit in writing to the secretary a request for full intervention, which shall specify his interest in the proceeding. If the commission determines that a person has a special interest in the proceeding which is not otherwise adequately represented or that full intervention by party is likely to present issues or to develop facts that assist the commission in fully considering the matter without unduly complicating or disrupting the proceedings, such person shall be granted full intervention.

Mr. Talwalkar in his motion has failed to meet the requirements set forth in Administrative Regulation 807 KAR 5:001, Section 3(8). He does not state any special interest in this proceeding or special ability that would assist us in developing a complete record. While we have granted Mr. Talwalkar full intervenor status in past Commission proceedings, such action does not establish a right to intervene in all proceedings involving Kentucky-American. For each proceeding in which he seeks to intervene, Mr. Talwalkar, like any other person, must show that he meets the regulatory prerequisites for such status. In this instance, he has not done so. Accordingly, his motion should be denied.¹

IT IS THEREFORE ORDERED that Mr. Talwalkar's motion for full intervenor status is denied.

¹ In his motion, Mr. Talwalkar requested only full intervenor status. He did not request limited intervenor status in this proceeding. We, therefore, make no finding on Mr. Talwalkar's right to such status.

Done at Frankfort, Kentucky, this 30th day of May, 2000.

By the Commission

ATTEST:

A handwritten signature in black ink, appearing to read "Mary H. ...", is written over a horizontal line. Below the line, the text "Executive Director" is printed in a standard black font.

Executive Director