

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE ALTERNATIVE RATE)	
FILING OF LAKE COLUMBIA)	CASE NO. 2000-458
UTILITIES, INC.)	

O R D E R

On October 27, 2000, Lake Columbia Utilities, Inc. ("Lake Columbia") filed its application for Commission approval of proposed sewer rates pursuant to 807 KAR 5:076.

On June 18, 2001, Lake Columbia requested an informal conference with Commission Staff. An informal conference was held with Staff, the Attorney General ("AG"), and intervenors on July 10, 2001.

On July 19, 2001, the AG, the only party to request a formal hearing pursuant to 807 KAR 5:076, Section 5, withdrew his request. Consequently, on August 14, 2001, the Commission entered an Order stating that no formal hearing would be held in this case.

On August 24, 2001, the Commission issued its Order setting the rates for Lake Columbia. On that same day, Lake Columbia filed a request for a formal hearing before the Commission. 807 KAR 5:076, Section 5, provides that any party may request a formal hearing within 90 days after the application is filed. The application herein was filed on October 27, 2000, and the request of Lake Columbia for a formal hearing was filed on August 24, 2001. It is apparent that more than 90 days have elapsed between

the filing of the application and Lake Columbia's request for a formal hearing. The request is untimely and does not set forth any grounds for the hearing as required. Since any hearing requested pursuant to 807 KAR 5:076, Section 5, is at the discretion of the Commission, after reviewing the record, we find there is no compelling reason to conduct a formal hearing in this case.

The Commission, being otherwise sufficiently advised, HEREBY ORDERS that the request of Lake Columbia for a formal hearing is denied.

Done at Frankfort, Kentucky, this 29th day of August, 2001.

By the Commission

ATTEST:


Executive Director