

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NONRECURRING CHARGES OF BIG SANDY ) CASE NO.  
WATER DISTRICT ) 2009-00069

O R D E R

Big Sandy Water District ("Big Sandy") has applied to increase certain nonrecurring charges related to tap-on fees. Commission Staff reviewed the submitted materials and determined that the case met the minimum filing requirements on March 9, 2009. On further review, Commission regulations may prohibit the handling of this case under the streamlined nonrecurring charge process unless Big Sandy requests a deviation from the regulations and demonstrates good cause as to why a deviation should be granted.

807 KAR 5:011, Section 10(3), provides: "No more than two (2) such [nonrecurring charge] tariff filings under this procedure shall be made between general rate cases. Additional tariff filings for nonrecurring charges will be processed according to general rate case procedures." According to Commission records, Big Sandy has not

had a general rate case since 1985.<sup>1</sup> Since that time, it has had three other nonrecurring charge cases.<sup>2</sup>

807 KAR 5:011, Section 14, permits a deviation from those rules. It states: "In special cases, for good cause shown upon application to and approval by, the commission may permit deviations from these rules." Accordingly, Big Sandy can request that the Commission continue to handle this case under the streamlined nonrecurring charge case process as outlined in 807 KAR 5:011, Section 10.

The Commission finds that this case should be held in abeyance for up to 30 days in order to allow Big Sandy to request a deviation from the regulations and demonstrate good cause as to why a deviation should be granted. If no request is filed within that time period, the Commission shall process the case according to general rate case proceedings.

IT IS THEREFORE ORDERED that:

1. This case should be held in abeyance for up to 30 days in order to allow Big Sandy to request a deviation from the regulations and demonstrate good cause as to why a deviation should be granted.

2. If no request is filed within 30 days of the date of this Order, the Commission shall process this case according to general rate case proceedings.

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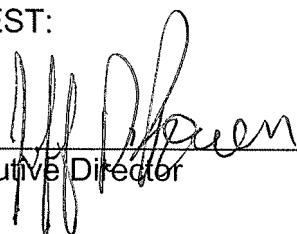
<sup>1</sup> See Case No. 9156, *Adjustment of Rates of Big Sandy Water District* (Ky. PSC May 13, 1985). Other mechanisms for changing rates, such as an application under KRS 278.023 or a purchased water adjustment, do not qualify as general rate cases. See Case No. 2004-00525, *Application of South Anderson Water District to Increase Certain Nonrecurring Charges*, at 2 (Ky. PSC Apr. 28, 2005).

<sup>2</sup> See Case No. 2004-00052, *Application of Big Sandy Water District to Revise Certain Nonrecurring Charges* (Ky. PSC Mar. 29, 2004); Case No. 1992-00386, *Application of Big Sandy Water District for an Increase in Service Connection Pursuant to 807 KAR 5:011, Section 10* (Ky. PSC Oct. 28, 1992); Case No. 9563, *Tariff Filing of Big Sandy Water District for the Increase and Establishment of Certain Nonrecurring Charges* (Ky. PSC Jan 22, 1987).

By the Commission

ENTERED  
MAY - 5 2009 *al*  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
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Executive Director

Case No. 2009-00069

Mr. Jimmy Blanton  
Superintendent  
Big Sandy Water District  
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