

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF MOUNTAIN WATER DISTRICT)	
FOR THE ISSUANCE OF A CERTIFICATE OF)	
PUBLIC CONVENIENCE AND NECESSITY TO)	
CONSTRUCT AND FINANCE A SYSTEM)	CASE NO.
IMPROVEMENTS PROJECT PURSUANT TO THE)	2016-00356
PROVISIONS OF KRS 278.020, KRS 278.300 and)	
807 KAR 5:001)	

ORDER

On October 3, 2016, Mountain Water District (“Mountain District”) applied for an Order granting a certificate of public convenience and necessity (“CPCN”) to construct a wastewater treatment system improvements project and for authorization to enter into an assistance agreement with the Kentucky Infrastructure Authority (“KIA”) for financing a portion of the project. Mountain District’s application met the minimum filing requirements on October 31, 2016. On November 14, 2016, Mountain District filed a notice that KIA had approved an increase in the amount of financing to cover additional wastewater system improvements and that Mountain District was required to enter into the KIA assistance agreement by February 3, 2017. On December 7, 2016, the Attorney General (“AG”) filed a motion for full intervention into the matter. By a separate Order issued today, the Commission granted the AG’s motion for intervention.

The Commission finds that it should establish a procedural schedule to ensure a complete record and an orderly review of Mountain District’s application within the time frame established by KIA for entering into the assistance agreement. The Commission

further finds that any request for a hearing or informal conference submitted in this proceeding shall state the reasons why a hearing or informal conference is necessary. The Commission finds that if there is no timely filed request for a hearing or informal conference, the matter should be submitted for a decision.

With respect to Mountain District's request for an Order authorizing it to enter into an assistance agreement, we find that, pursuant to KRS 278.300(2), the Commission must rule on the application within 60 days after it is filed with the Commission, in the instant case by December 29, 2016, unless it is necessary for good cause to continue the application for a longer time than 60 days. We find that additional time beyond December 29, 2016, is required for the proper review of Mountain District's application.

IT IS THEREFORE ORDERED that:

1. Mountain District's application for approval to enter into an assistance agreement with the Kentucky Infrastructure Authority ("KIA") for financing a portion of the project for which a CPCN is sought is continued beyond the 60-day period specified in KRS 278.300(2).
2. The procedural schedule set forth in the Appendix to this Order shall be followed.
3. Unless there is a timely filed request for a hearing or informal conference, the matter shall be submitted for a decision.
4. Any party filing a paper with the Commission shall file an original and ten copies. The original and copies shall be appropriately bound, tabbed and indexed.
5. a. Responses to requests for information shall be appropriately bound, tabbed and indexed and shall include the name of the witness responsible for

responding to the questions related to the information provided, with copies to all parties of record, and the original and ten copies to the Commission.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. A party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

6. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission

ENTERED
DEC 19 2016
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2016-00356 DATED **DEC 19 2016**

Requests for information to Mountain District shall be
filed no later than.....12/27/2016

Mountain District shall file responses to requests for
information no later than..... 01/04/2017

Any written request for a hearing or informal conference
shall state the reasons why a hearing or informal conference
is necessary and shall be filed no later than..... 01/09/2017

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