

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF NORTHERN	)	
KENTUCKY WATER DISTRICT FOR AN	)	CASE NO.
ADJUSTMENT OF RATES; ISSUANCE OF	)	2018-00291
BONDS; FINANCING; AND TARIFF REVISIONS	)	

ORDER

This matter arises on Northern Kentucky Water District's (Northern Kentucky District) application (Application) for a general rate adjustment pursuant to KRS 278.180 and KRS 278.190, approval of financing pursuant to KRS 278.300, and approval of revised tariffs pursuant to KRS 278.160. Northern Kentucky District's Application was tendered to the Commission on September 28, 2018. By Order entered October 5, 2018, the Commission rejected the Application due to filing deficiencies and denied Northern Kentucky District's request to deviate from certain filing requirements. Northern Kentucky District subsequently filed a response that cured the filing deficiencies, and the Application was deemed filed on October 11, 2018.

In its Application, Northern Kentucky District proposed that the new rates become effective on October 28, 2018. Pursuant to KRS 278.170, no change in utility rates is permitted except upon 30 days' notice to the commission. Therefore, since the Application was filed on October 11, 2018, the earliest date that Northern Kentucky District's proposed rates can be effective is November 10, 2018. Additionally, KRS 278.300(2) provides that the Commission must adjudicate an application for authority to

issue evidences of indebtedness within 60 days of the date the application was filed unless it is necessary for good cause to continue the application.

Having reviewed Northern Kentucky District's Application and being otherwise sufficiently advised, the Commission finds that an investigation is necessary in order to determine the reasonableness of the proposed tariffs and that such investigation cannot be completed by November 10, 2018. Therefore, pursuant to KRS 278.190(2), the Commission will suspend the effective date of the proposed tariff for five months, up to and including April 9, 2019. The Commission further finds that good cause exists to continue the Application beyond the 60-day period specified in KRS 278.300(2) in order to determine the reasonableness of the proposed financing.

The Commission also finds that a procedural schedule should be established to commence a review of the reasonableness of the proposed rate adjustment, financing, and tariffs. The procedural schedule is attached as an Appendix to this Order.

All requests for intervention should be filed by November 1, 2018. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceedings which is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the commission in fully considering the matter without unduly complicating or disrupting the proceedings. Further, KRS 278.040(2) requires that a person seeking intervention have an interest in the rates or service of a utility, as those are the only matters that are subject to the Commission's jurisdiction.

The Commission further finds that any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not

adequately presented or the issues and facts the person will present that will assist the commission in fully considering the matter. A mere recitation of the quantity of water consumed by the movant or a general statement regarding a potential impact of a possible modification of rates will not be deemed sufficient to establish a special interest.

IT IS THEREFORE ORDERED that:

1. Northern Kentucky District's proposed tariffs are suspended for five months from November 10, 2018, up to and including April 9, 2019.

2. The Commission will continue Northern Kentucky District's Application for Financing beyond the 60-day period specified in KRS 278.300(2) in order to determine the reasonableness of the proposed financing.

3. The procedural schedule set forth in the Appendix to this Order shall be followed.

a. Responses to requests for information in paper medium 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 an original in paper medium, and an electronic version to the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

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 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 that 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 fails or refuses to furnish all or part of the requesting information that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

f. Any 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 the personal information cannot be read.

4. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8, and shall also file an original in paper medium. The copies in paper medium should be appropriately bound, tabbed, and indexed.

5. Any motion to intervene filed after November 1, 2018, shall show a basis for intervention and good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

6. Northern Kentucky District shall give notice of any hearing in this matter in accordance with the provisions set forth in 807 KAR 5:001, section 9(2)(b). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, [psc.ky.gov](http://psc.ky.gov)." At the time publication is

requested, Northern Kentucky District shall forward a duplicate of the notice and request to the Commission.

7. At the public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

8. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.


9. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extension of time with respect to the procedural schedule shall be made in writing and will be granted only upon a showing of good cause.

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By the Commission

ENTERED  
OCT 17 2018  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
\_\_\_\_\_  
Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2018-00291 DATED **OCT 17 2018**

Requests for intervention shall be filed  
no later than.....11/01/18

All requests for information to Northern Kentucky District  
shall be filed no later than.....11/09/18

Northern Kentucky District shall file responses to initial requests  
for information no later than.....11/28/18

All Supplemental requests for information to Northern Kentucky  
District shall be filed no later than.....12/19/18

Northern Kentucky District shall file responses to supplemental  
requests for information no later than.....01/08/19

Intervenor testimony, if any, in verified prepared  
form, shall be filed no later than.....01/15/19

All requests for information to Intervenors  
shall be filed no later than.....01/31/19

Intervenors shall file responses to requests for  
information no later than.....02/11/19

Northern Kentucky District shall file, in verified prepared form, its  
rebuttal testimony, if any, no later than.....02/19/19

Last day for Northern Kentucky District to publish notice of hearing.....To be scheduled

Public Hearing to be held in Hearing Room 1 of the  
Commission's offices at 211 Sower Boulevard, Frankfort,  
Kentucky, for the purpose of cross-examination of witnesses  
of Northern Kentucky District and Intervenors.....To be scheduled

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