

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF NORTH)	CASE NO.
MCLEAN COUNTY WATER DISTRICT FOR AN)	2020-00238
ALTERNATIVE RATE ADJUSTMENT)	

ORDER

On August 4, 2020, North Mclean County Water District (North McLean District) filed an application (Application), pursuant to 807 KAR 5:076, requesting to adjust its monthly water service rates. On August 10, 2020, it was determined the application was deficient. On August 12, 2020, the deficiency was determined corrected and the application was considered filed.

The Commission finds that a procedural schedule should be established to ensure the orderly review of North McLean District's Application.

All requests for intervention should be filed by August 28, 2020. Any motion to intervene filed after August 28, 2020, should show a basis for intervention and good cause for being untimely. 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 proceeding 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 must 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.

Based on the foregoing, 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 otherwise adequately represented 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 possible modification of rates will not be deemed sufficient to establish a special interest.

Finding that a procedural schedule¹ should be established to ensure the orderly review of the Application, the Commission HEREBY ORDERS that:

1. No later than November 17, 2020, Commission Staff shall file with the Commission and serve upon all parties of record a written report (Staff Report) containing its findings and recommendations regarding North McLean District's requested rate adjustment.

2. No later than 14 days after the date of the filing of the Commission Staff Report each party of record shall file with the Commission:

a. Its written comments on and any objections to the findings contained in the Commission Staff Report; and

b. Any additional evidence for the Commission to consider.

¹ No action is necessary to suspend the effective date of [APPLICANT ALIAS]'s proposed rates for service. Pursuant to 807 KAR 5:076, Section 7(1), an applicant who applies for a rate adjustment pursuant to the procedures set for in 807 KAR 5:076 may not place its proposed rates into effect until the Commission approves those rates or six months from the date of the filing of its application.

3. If Commission Staff finds that North McLean District's financial condition supports a higher rate than North McLean District proposes or the assessment of an additional rate or charge not proposed in North McLean District's Application, North McLean District in its response to the Commission Staff Report shall also state its position in writing on whether the Commission should authorize the assessment of the higher rate or the additional rate or charge.

4. If Commission Staff finds that changes should be made to the manner in which North McLean District accounts for the depreciation of North McLean District's assets, North McLean District in its response to the Commission Staff Report shall also state its position in writing on whether the Commission should require North McLean District to implement the proposed change for accounting purposes.

5. A party's failure to file written objections to a finding contained in the Commission Staff Report within 14 days after the date of the filing of the Commission Staff Report shall be deemed a waiver of all objections to that finding.

6. If a party requests a hearing or informal conference, then the party shall make the request in its written comments and state the reason why a hearing or informal conference is necessary.

7. A party's failure to request a hearing or informal conference in the party's written response shall be deemed a waiver of all rights to a hearing on the Application and a request that the case stand submitted for decision.

8. A party's failure to file a written response within 14 days after the date of the filing of the Staff Report shall be deemed a waiver of all rights to a hearing on the Application.

9. The Commission directs all parties to the Commission's March 16, 2020 and March 24, 2020 Orders in Case No. 2020-00085² regarding filings with the Commission. The Commission expects the original documents to be filed with the Commission within 30 days of the lifting of the current state of emergency.

10. All requests for intervention shall be filed by August 28, 2020.

11. Any motion to intervene filed after August 28, 2020, 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 established for this proceeding.

² Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 16, 2020), Order at 5–6. Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 24, 2020), Order at 1–3.

By the Commission



ATTEST:

A blue ink signature, appearing to be "K. D. L.", written in a cursive style. The signature is positioned above a horizontal line.

Acting Executive Director

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