

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF BLUEGRASS	)	
WATER UTILITY OPERATING COMPANY, LLC	)	CASE NO.
FOR AN ADJUSTMENT OF WATER AND	)	2025-00354
SEWAGE RATES	)	

ORDER

This matter arises from comments filed by 29 individual residential customers who take service from Bluegrass Water Utility Operating Company, LLC (Bluegrass Water) that were either titled “request to intervene” or otherwise could have been interpreted as a request to intervene in this matter. The requests were filed between December 15, 2025, and February 19, 2026. Bluegrass Water filed five separate responses to the requests for intervention on December 30, 2025, January 12, 2026, January 20, 2026, February 5, 2026, and February 26, 2026.

LEGAL STANDARD

The Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General), has the statutory right to intervene in Commission cases pursuant to KRS 367.150(8)(b). The Attorney General has been granted intervention<sup>1</sup> in this matter.

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<sup>1</sup> Order (Ky. PSC Oct. 30, 2025).

With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.<sup>2</sup> Scott County, Kentucky requested and has also been granted intervention in this matter.<sup>3</sup> The regulatory standard for permissive intervention, set forth in 807 KAR 5:001, Section 4, is twofold. Commission regulation 807 KAR 5:001, Section 4(11), requires a person to set forth in the motion to intervene either (1) a special interest in the proceeding that is not otherwise adequately represented in the case, or (2) that 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.

REQUESTS TO INTERVENE

The Commission received requests to intervene, or otherwise could have been interpreted as a request to intervene from the following persons on the dates noted below:

<b>Name</b>	<b>Date</b>
Melissa Cummings	12/15/25
Nicholas Clark	12/15/25
Pam Ledford	12/15/25
Eric Isbell	12/17/25
Mike Dail	12/18/25
Dee Minor	12/20/25 & 02/19/2026
Sherry McClung	12/21/25
Christopher Payton	12/21/25
Matthew Work	12/21/25
Jessica Minton	12/22/25
Brandy Chenault	12/22/25
Wendy Conn	12/23/25
John & Heather Stout	12/24/25
Manuel Jimenez	12/27/25
Patric Jimenez	12/27/25

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<sup>2</sup> KRS 164.2807.

<sup>3</sup> Order (Ky. PSC Jan. 27, 2026). The Delaplain system, Bluegrass Water’s largest system, is located in Scott County, Kentucky.

Phil Hazel	12/29/25
Frank & Deborah Gerner	12/30/25
Rob Fischesser	01/02/26
Curt & Cindy Rausch	01/02/26
Tony Higgins	01/05/26
Stephen Sheanshang	01/05/26
Mitch Buchana	01/06/26
Olivia & Nathan Lawson	01/06/26
Sally & Simon Jewell	01/06/26
Jana Hackathorn	01/12/26
Gregg McDonald	01/15/26
Jerald Forbes	01/28/26
Kelina Roberts	12/21/26
Brian Crosby	12/21/26
William & Margaret Harp	02/06/2026
Jessica Young	02/10/2026

While letters<sup>4</sup> filed by the above individuals contained a statement requesting to intervene, none of the requests addressed whether the requestor had a special interest or was likely to present issues or develop facts that will assist the Commission in considering this matter without unduly complicating the proceedings. Additionally, one request was also untimely.

In response to the requests, Bluegrass Water argued that the persons have not shown a special interest(s) in the case that is not otherwise adequately represented and are not likely to develop facts that assist the Commission in considering the matter without unduly complicating the matter.<sup>5</sup>

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<sup>4</sup>See <https://psc.ky.gov/Case/ViewCaseFilings/2025-00354/Public> and [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://psc.ky.gov/pscscf/2025%20cases/2025-00354//20251222\\_PSC%20Response%20E-Mail%20to%20Multiple%20Public%20Comments.pdf](chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://psc.ky.gov/pscscf/2025%20cases/2025-00354//20251222_PSC%20Response%20E-Mail%20to%20Multiple%20Public%20Comments.pdf)

<sup>5</sup> Bluegrass Water's Response to Requests for Intervention (filed Dec. 30, 2025) at 3; Bluegrass Water's Response to Requests for Intervention (filed Jan. 12, 2025) at 3; Bluegrass Water's Response to Requests for Intervention (filed Jan. 20, 2025) at 2-3; and Bluegrass Water's Response to Requests for Invention (filed Feb. 5, 2025) at 2-3.

## DISCUSSION AND FINDINGS

Based on a review of the pleadings at issue and being otherwise sufficiently advised, the Commission finds that the above-named individuals have failed to demonstrate that they have a special interest in the proceeding over which the Commission has jurisdiction that is not otherwise adequately represented, or that they are likely to present issues or develop facts that will assist the Commission in considering this matter, without unduly complicating or disrupting the proceedings for the reasons discussed below.

The above-mentioned requests contain public comments objecting to the proposed rate increase with a single sentence containing a request to intervene.<sup>6</sup> Many of these letters ask only that the Commission intervene to prevent Bluegrass Water from implementing the proposed rate increase.<sup>7</sup> In addition, the Commission has consistently found that the Attorney General represents the interests of individual ratepayers.<sup>8</sup> In this

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<sup>6</sup> See Nicholas Clark Public Comment (filed Dec. 19, 2025) at [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://psc.ky.gov/pscscf/2025%20cases/2025-00354/Public%20Comments//20251219\\_Nicholas%20Clark%20Public%20Comment.pdf](chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://psc.ky.gov/pscscf/2025%20cases/2025-00354/Public%20Comments//20251219_Nicholas%20Clark%20Public%20Comment.pdf) and Tony Higgins Public Comment (filed Jan. 5, 2026) at [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://psc.ky.gov/pscscf/2025%20cases/2025-00354/Public%20Comments//20260105\\_Tony%20Higgins%20Public%20Comment.pdf](chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://psc.ky.gov/pscscf/2025%20cases/2025-00354/Public%20Comments//20260105_Tony%20Higgins%20Public%20Comment.pdf) for examples.

<sup>7</sup> See Eric Isbell Public Comment (filed Dec. 19, 2025) at [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://psc.ky.gov/pscscf/2025%20cases/2025-00354/Public%20Comments//20251219\\_Eric%20Isbell%20Public%20Comment.pdf](chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://psc.ky.gov/pscscf/2025%20cases/2025-00354/Public%20Comments//20251219_Eric%20Isbell%20Public%20Comment.pdf) and Mike Dail Public Comment (filed Dec. 18, 2025) at [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://psc.ky.gov/pscscf/2025%20cases/2025-00354/Public%20Comments//20251219\\_PSC%20Response%20E-Mail%20to%20Multiple%20Public%20Comments.pdf](chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://psc.ky.gov/pscscf/2025%20cases/2025-00354/Public%20Comments//20251219_PSC%20Response%20E-Mail%20to%20Multiple%20Public%20Comments.pdf) for examples.

<sup>8</sup> See Case No. 2020-00349, *Electronic Application of Kentucky Utilities Company for an Adjustment of Its Electric Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One Year Surcredit* (Ky. PSC Jan. 12, 2021), Order (denying three customers' requests for intervention); Case No. 2009-00198, *Application of Louisville Gas and Electric Company for a Certificate of Public Convenience and Necessity and Approval of Its 2009 Compliance Plan for Recovery by Environmental Surcharge* (Ky. PSC Aug. 28, 2009), Order (denying intervention to customer Tammy Stewart on ground she lacked a special interest meriting intervention, as well as expertise that would assist the Commission); Case No. 2009-00174 *Application of Kentucky Utilities Company for an Order Approving the Establishment*

case, none of the letters requesting intervention presented an argument that a party advocated for a special interest outside of that of a customer.

Although they have not been granted intervention, the individual residential customers named above will have an opportunity to participate in this proceeding even though they are not granted intervenor status. They can review all public documents filed in this case and monitor the proceedings via the Commission's website <https://psc.ky.gov/Case/ViewCaseFilings/2025-00354>. In addition, the individual residential customers may file comments as frequently as they choose, and those comments will be entered into the record of this case. For their convenience, public comments can be filed via the Commission's website at <https://psc.ky.gov/Case/SearchCasesPublicComments>.

IT IS THEREFORE ORDERED that the requests to intervene filed by the individual residential customers identified in this Order are denied.

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*of a Regulatory Asset* (Ky. PSC June 26, 2009), Order (denying Rep. Jim Stewart's Motion to Intervene because he had neither a special interest in the proceeding nor was he likely to assist the Commission to render a decision); Case No. 2012-00221, *Application of Kentucky Utilities Company for an Adjustment of Its Electric Rates* (Ky. PSC Aug. 9, 2012), Order (denying customer Bruce Nunn's request for intervention); Case No. 2012-00221, *Application of Kentucky Utilities Company for an Adjustment of Its Electric Rates* (Ky. PSC Aug. 9, 2012) (denying customer Michael Whipple's request for intervention).

PUBLIC SERVICE COMMISSION

  
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Chairman

  
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Commissioner

  
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