

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF CUMBERLAND )	
COUNTY WATER DISTRICT TO ESTABLISH NEW )	
CHARGES AND REVISED CONDITIONS OF )	CASE NO.
SERVICE AND ELECTRONIC APPLICATION OF )	2026-00108
CUMBERLAND COUNTY WATER DISTRICT FOR )	
A DEVIATION FROM 807 KAR 5:011, SECTION )	
8(2) FOR TARIFF FILING TFS2026-00157 )	

ORDER

The Commission, on its own motion, opens this proceeding to grant a deviation from 807 KAR 5:001, Section 8(2) for Tariff Filing TFS2026-00157.<sup>1</sup>

BACKGROUND

On February 13, 2026, Cumberland County Water District (Cumberland District) tendered an application requesting approval to adjust its rates pursuant to the purchased water adjustment procedure set forth in KRS 278.015 and 807 KAR 5:068 in Case No. 2026-00037.<sup>2</sup> On February 18, 2026, Cumberland District submitted further documentation to correct certain filing deficiencies, and the application was deemed filed as of February 18, 2026.<sup>3</sup> A final Order in Case No. 2026-00037 was entered on March 19, 2026,<sup>4</sup> approving a purchased water adjustment factor of \$0.25 per 1,000

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<sup>1</sup> TFS2026-00157 (tendered Apr. 7, 2026).

<sup>2</sup> Case No. 2026-00037, *Electronic Purchased Water Adjustment Filing of Cumberland County Water District* (Ky. PSC Mar. 19, 2026).

<sup>3</sup> Case No. 2026-00037, Feb. 18, 2026 Amended Application.

<sup>4</sup> Case No. 2026-00037, Mar. 19, 2026 final Order.

gallons and ordering Cumberland District to file with the Commission, using the Commission's electronic Tariff Filing System, revised tariff sheets showing the rates approved.<sup>5</sup>

On April 7, 2026, Cumberland District tendered its revised tariffs pursuant to the March 19, 2026 Order.<sup>6</sup> With the proposed tariff, Cumberland District also provided proof of notice publication.<sup>7</sup> On the notice, Cumberland District stated, "the monthly bill for an average customer using 5,000 gallons per month will increase from \$72.94 to \$75.50 this is an increase of 1.71%."<sup>8</sup> The final Order in Case No. 2026-00037 approved a new rate for the average customer using 5,000 gallons that would result in a bill increasing from \$72.94 to \$74.57. Although the approved rate is reflected on the proposed tariff in TFS2026-00157, the customer notice provided an incorrect new average customer bill amount.

#### LEGAL STANDARD

Under KRS 278.040, the Commission has exclusive jurisdiction over the rates and services of utilities and is charged with enforcing the provisions of KRS Chapter 278. Pursuant to KRS 278.015(2), before a utility increases its rate, it must give notice to its customers prior to or at the time of the first billing of the new rates. Commission regulation 807 KAR 5:068, Section 5, outlines the requirements for the customer notice. Specifically,

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<sup>5</sup> Case No. 2026-00037, Mar. 19, 2026 final Order at 6, ordering paragraphs 1 and 4.

<sup>6</sup> TFS2026-00157 (tendered Apr. 7, 2026).

<sup>7</sup>[https://psc.ky.gov/trf4/uploadedFiles/20150\\_Cumberland\\_County\\_Water\\_District/04082026084149/CumberlandCWD\\_Tariff\\_PWA\\_Case\\_2026-037\\_Proof-of-Publication.pdf](https://psc.ky.gov/trf4/uploadedFiles/20150_Cumberland_County_Water_District/04082026084149/CumberlandCWD_Tariff_PWA_Case_2026-037_Proof-of-Publication.pdf)

<sup>8</sup>[https://psc.ky.gov/trf4/uploadedFiles/20150\\_Cumberland\\_County\\_Water\\_District/04082026084149/CumberlandCWD\\_Tariff\\_PWA\\_Case\\_2026-037\\_Proof-of-Publication.pdf](https://psc.ky.gov/trf4/uploadedFiles/20150_Cumberland_County_Water_District/04082026084149/CumberlandCWD_Tariff_PWA_Case_2026-037_Proof-of-Publication.pdf)

807 KAR 5:068, Section 5(2)(b), states that if a utility has more than 20 customers, it shall provide notice by:

- (a) Including notice with customer bills mailed no later than the issuance of the first bill at the increased rate.
- (b) Mailing a written notice to each customer no later than the issuance of the first bill at the increased rate; or
- (c) Publishing a notice one (1) time in a prominent manner in a newspaper of general circulation in the utility's service area no later than the issuance of the first bill at the increased rate.

Additionally, 807 KAR 5:068, Section 5(4), states that each notice issued in accordance with this section shall contain:

- (a) The effective date.
- (b) The present rates and proposed rates for each customer classification to which the proposed rates will apply.
- (c) The amount of the change requested in both dollar amounts and percentage change for each customer classification to which the proposed rates will apply.
- (d) The amount of the average usage and the effect upon the average bill for each customer classification to which the proposed rates will apply.
- (e) A statement that a person may examine this application at the offices of (utility name) located to (utility address).
- (f) A statement that a person may examine this application at the Commission's offices located at 211 Sower Boulevard, Frankfort, Kentucky, Monday through Friday, 8:00 a.m. to 4:30 p.m. or through the Commission's website at <http://psc.ky.gov>.

Pursuant to 807 KAR 5:068, Section 8, the Commission shall permit deviations from this administrative regulation for good cause shown.

### DISCUSSION AND FINDINGS

Having reviewed the record and the proof of publication of the notice that customers received regarding the rates approved in Case No. 2026-00037,<sup>9</sup> the

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<sup>9</sup> Case No. 2026-00037, Mar. 19, 2026 final Order.

Commission, on its own motion, finds that good cause exists to grant a deviation from 807 KAR 5:068, Section 5(4)(d). Although the new average customer bill amount was incorrectly stated in the notice, the correct amount was reflected on the chart provided in the notice, and the percentage shown accurately reflected the increase to impacted customers. In conjunction with the correct information, the tariff filing reflected the approved Commission rates. The Commission finds that these facts substantially comply with the intent of the regulation. In addition, the expense of re-publishing a notice that had accurate information in two of three locations within the notice would far outweigh any benefit that may result from rejecting the tariff filing. Furthermore, with the deviation, the Commission finds that the tariff filed in TFS2026-00157 is accepted.

IT IS THEREFORE ORDERED that:

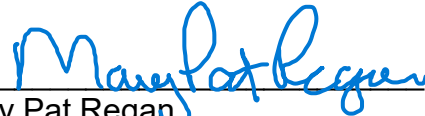
1. A deviation from 807 KAR 5:068, Section 5(4)(d), is granted.
2. Cumberland District's tariff filed in TFS2026-00157 is accepted with the effective date of February 12, 2026.
3. This case is closed and removed from the Commission's docket.

Entered on this 13th day of May, 2026.

PUBLIC SERVICE COMMISSION



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Angie Hatton  
Chair



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Mary Pat Regan  
Commissioner



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Andrew W. Wood  
Commissioner

ATTEST:



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Linda C. Bridwell, PE  
Executive Director

## Service List for 2026-00108

\* Cumberland County Water District  
133 Lower River Street  
Burkesville, KY 42717-9622