

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF HARDIN COUNTY WATER)
DISTRICT NO. 1 TO ADJUST ITS RATES FOR) CASE NO. 2013-00050
SEWER SERVICE)

ORDER

Hardin County Water District No. 1 ("Hardin District") has moved to submit its responses to Commission Staff's First Request for Information in electronic medium in lieu of paper when the response consists of more than 100 pages. In support of its motion, Hardin District states that several responses "may be in excess of 1,000 pages" and that making eight copies of each would result in substantial copying charges.¹

In a separate motion,² Hardin District has moved for an additional 24 days in which to respond to Commission Staff's Second Request for Information. In support of its motion, Hardin District states that it lacks sufficient personnel to respond to the Request in a shorter period while at the same time continuing its utility operations.

As to Hardin District's first motion, the Commission finds that the motion should be granted and that Hardin District should be permitted to deviate from 807 KAR 5:001, Section 7,³ to submit on electronic storage medium in lieu of submitting paper copies.

¹ Hardin District's Motion to File Responses Electronically at 1 (filed Aug. 15, 2013).

² Hardin District's Motion for Extension of Time at 1 (filed Aug. 19, 2013).

³ Unless the commission orders otherwise or the electronic filing procedures established in Section 8 of this administrative regulation are used, if a document in paper medium is filed with the commission, ten (10) additional copies in paper medium shall also be filed.

any response to a request in Commission Staff's First Request for Information in which the response exceeds 100 pages in length.

As to Hardin District's motion to extend the time period in which to respond to Commission Staff's Second Request for Information, the Commission finds that granting Hardin District's motion would require either significant revisions to the procedural schedule or would require the other parties to the proceeding and Commission Staff to forego any opportunity to conduct discovery on Hardin District's responses to the Second Request for Information. Hardin District has offered no explanation for the need for the additional time other than to state that it "is simply not staffed" to make a timely response.⁴

The record demonstrates that Hardin District has been afforded adequate time to respond to the Commission Staff requests. On July 26, 2013, Commission Staff submitted its First Request for Information to Hardin District. On August 1, 2013, Hardin District submitted a request for an additional 18 days in which to respond to this Request. On August 13, 2013, the Commission extended the time period in which Hardin District could respond to Commission Staff's First Request for Information, but expressly advised Hardin District that Commission Staff would be permitted to submit additional requests in accordance with the established procedural schedule. Commission Staff submitted its Second Request for Information on August 13, 2013 in accordance with that procedural schedule. The procedural schedule allowed Hardin District 14 days in which to respond to the Second Request.

The Commission advises Hardin District that, if it wishes to renew its motion, it should provide greater explanation as to its inability to respond to requests for

⁴ Hardin District's Motion for Extension of Time at 1.

information within the time limits established in the existing procedural schedule. Hardin District should further request revisions to the procedural schedule that permit timely responses to discovery requests, and an adequate time for hearing and a review of the record within the statutory period established by KRS 278.190.

IT IS THEREFORE ORDERED that:

1. Hardin District's motion to submit its responses to Commission Staff's First Request for Information in electronic medium in lieu of paper when the response consists of more than 100 pages is granted.

2. Hardin District is permitted to deviate from 807 KAR 5:001, Section 7, when submitting its response to Commission Staff's First Request for Information.


3. For any response to Commission Staff's First Request for Information which exceeds 100 pages in length, Hardin District may file one copy of the response in paper medium and one copy of the response on electronic storage medium and may serve upon the parties of record a copy of the response in electronic storage medium in lieu of a copy in paper medium.

4. If Hardin District files a response on electronic storage medium, that response shall be in portable document format, search-capable, and bookmarked to distinguish the response by number and subsection. Any scanned documents contained in the response shall be scanned at a resolution of 300 dots per inch.

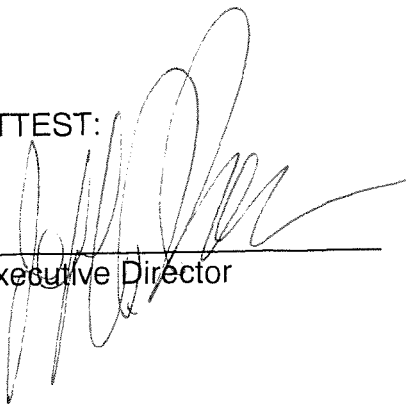
5. When submitting its response to Commission Staff's First Request for Information, Hardin District shall certify that the responses contained on the electronic storage medium are a true and accurate copy of the responses of the paper copy.

6. Hardin District's motion for an extension of time to respond to Commission Staff's Second Request for Information is denied without prejudice.

By the Commission

ENTERED 
AUG 27 2013
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2013-00050

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