

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOINT APPLICATION OF TROUBLESOME)	
CREEK ENVIRONMENTAL AUTHORITY,)	CASE NO.
INC. FOR AN ORDER APPROVING A)	2014-00138
TRANSFER OF OWNERSHIP AND)	
CONTROL OF A JURISDICTIONAL ASSET)	
TO KNOTT COUNTY WATER & SEWER, INC.)	

ORDER

On April 15, 2014, Troublesome Creek Environmental Authority, Inc. ("TEA") and Knott County Water & Sewer ("KCW&S") (collectively "Joint Applicants") applied for Commission approval for the transfer of ownership and control of TEA, a jurisdictional utility, to KCW&S. KRS 278.020(6) provides that the Commission approve or deny such application within 60 days of its filing unless it is necessary, for good cause, to extend the application for an additional 60 days. Accordingly, the Commission must, no later than June 16, 2014, issue a final decision on the application or continue the matter.¹

On May 9, 2014, the Commission issued an Initial Request for Information ("Initial Request") to the Joint Applicants. On May 22, 2014, the Joint Applicants moved the Commission for an extension of time until 20 days from the original reply date of May 19, 2014, in which to file its responses to Commission Staff's Initial Request. In support, the Joint Applicants state that, although the envelope which contained the

¹ Sixty days from the date of filing is Saturday, June 14, 2014. Pursuant to 807 KAR 5:001, Section 4(7)(b), "[t]he last day of the period so computed shall be included, unless it is a Saturday, a Sunday, a legal holiday, or other day commission offices are legally closed, in which event the period shall run until the end of the next day that is not a Saturday, a Sunday, a legal holiday, or other day commission offices are legally closed." Therefore the deadline would be Monday, June 16, 2014.

Initial Request shows that it was mailed on May 9, 2014, it was inexplicably not received by the Joint Applicants until May 19, 2014. Additionally, the Joint Applicants contend that the information sought by the Commission requires considerable and time-consuming record retrieval and analysis, as well as consultation with outside consultants with whom they will need to schedule time to meet. For these reasons, the Joint Applicants state that an extension of time of 20 days from the original reply date, or up to and including June 8, 2014, within which to file responses to Commission Staff's Initial Request is necessary.

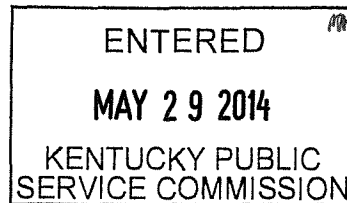
The Commission, having considered the Joint Applicant's motion, finds that good cause exists to grant the Joint Applicants an extension of time in which to file their responses to Commission Staff's Initial Request. However, since June 8, 2014 is a Sunday, the Commission finds that the Joint Applicants should file their responses no later than Monday, June 9, 2014.

Based upon the Joint Applicants' delay in filing the responses to Commission Staff's Initial Request, the Commission also finds that additional time will be necessary to review the Joint Applicants' responses to Commission Staff's Initial Requests and to evaluate the proposed transfer, and that our review cannot be completed by June 16, 2014. Therefore, good cause exists to extend the review period. The Commission thus, on its own motion, and pursuant to KRS 278.020(6), finds that the Joint Applicants' application is continued for a period not to exceed an additional 60 days from the filing of the application, or August 13, 2014.

IT IS THEREFORE ORDERED that:

1. The Joint Applicants' motion for an extension of time is granted.
2. The Joint Applicants are granted an extension of time to file their responses to Commission Staff's Initial Request for Information up to and including June 9, 2014.
3. The period of time for the Commission to review the Joint Applicants' application is extended to August 13, 2014.

By the Commission



ATTEST:



Executive Director

Case No. 2014-00138

Don Gibson
Chairman
Troublesome Creek Environmental Authority, Inc.
917 Perry Park Road
Hazard, KY 41701

Dale Hamilton
Vice Chairperson
Knott County Water & Sewer District
7777 Big Branch Road
Vicco, KY 41773

Calvin R Tackett
Esquire
40 Main Street
Whitesburg, KENTUCKY 41858