

Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet



Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

Linda Breathitt
Commissioner

October 7, 2014

PARTIES OF RECORD

Re: Case No. 2014-00272
Water Service Corporation of Kentucky

Attached is a copy of a memorandum which is being filed in the record of the above-referenced case. If you have any comments you would like to make regarding the contents of the memorandum please do so within five days of receipt of this letter. If you have any questions, please contact Ann Ramser, Staff Attorney, at (502) 782-2585.

Sincerely,


A handwritten signature in blue ink, appearing to read "Jeff Derouen".

Jeff Derouen
Executive Director

AR/ch
Attachment

INTRA-AGENCY MEMORANDUM
KENTUCKY PUBLIC SERVICE COMMISSION

TO: Case File – Case No. 2014-00272

FROM: Ann Ramser, Staff Attorney 

DATE: October 7, 2014

RE: Informal Conference of October 2, 2014

Pursuant to Commission Staff's September 5, 2014 Notice, an informal conference was held in this matter on October 2, 2014. Attached is a copy of the attendance roster.

The informal conference was scheduled at the request of Water Service Corporation of Kentucky ("WSCK"). Mr. Osterloh acknowledged that WSCK was required to hold annual meetings in the cities of Clinton and Middlesboro pursuant to the August 13, 2012 Order in Case No. 2012-00133.¹ WSCK failed to hold annual meetings in the cities of Clinton or Middlesboro prior to August 12, 2013. Mr. Osterloh believes the term "annual" means calendar year; however he further acknowledges that meetings were not held in the cities of Clinton or Middlesboro prior to December 31, 2013.

WSCK alleges it was waiting on a response to Mr. Osterloh's December 3, 2013 letter to the Executive Director of the Commission regarding meetings in the cities of Clinton or Middlesboro. Mr. Osterloh acknowledges that WSCK should have attempted to obtain clarification when the Commission did not respond about meetings in the cities of Clinton or Middlesboro.

Ms. Osterloh argued that WSCK's failure to timely hold the annual meetings in the cities of Clinton or Middlesboro was not intentional or willful. He claims that the December 3, 2013 correspondence shows WSCK's intent to timely comply with the August 13, 2012 Order in Case No 2012-00133.²

A settlement proposal was discussed but a settlement was not reached.

Mr. Osterloh requested that the issue be submitted to the Commission without a hearing. Ms. Ramser stated her belief that the Commission would want to see and hear the witnesses' explanation for the failure to have the meetings in the cities of Clinton and Middlesboro.

¹ Case No. 2012-00133, Joint Application of Corix Utilities (Illinois) LLC; Hydro Star, LLC; Utilities, Inc.; and Water Service Corporation of Kentucky for the Transfer and Acquisition of Control Pursuant to KRS 278.020. (Ky. PSC Aug. 13, 2012).

² *Id.*

After speaking privately with his clients, Mr. Osterloh indicated that the informal conference should end.

The informal conference then ended.

Enclosure

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF THE FAILURE OF WATER)
SERVICE CORPORATION OF KENTUCKY TO) CASE NO.
HOLD ANNUAL PUBLIC MEETINGS IN THE) 2014-00272
CITIES OF CLINTON AND MIDDLESBORO)

Please sign in:

NAME

REPRESENTING

Ann Ranuser

PSC Staff

Todd Osterloh

WSCK

Bruce T. Haas

wsck

James Leonard

WSCK

Gregory Dutton

OAG

Mark Frost

PSC Staff

Steve Lubertozi

wsck - by phone