

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF MONROE)
COUNTY WATER DISTRICT FOR RATE) CASE NO.
ADJUSTMENT PURSUANT TO 807 KAR 5:076) 2017-00070

ORDER

The matter is before the Commission upon a motion filed by Monroe County Water District (“Monroe District”) for an Order incorporating by reference into the record of this proceeding the record of Case No. 2011-00272.¹ In support of its motion, Monroe District cites 807 KAR 5:001, Section 11(5), which states that “[u]pon motion of a party to a proceeding, the record of the case in the commission’s files or any document on file with the commission may be made a part of the record by ‘reference only’.”²

In its motion, Monroe District states that Case No. 2011-00272 is the most recent proceeding in which the Commission has considered an adjustment of Monroe District’s rates pursuant to KRS 278.180. Additionally, Monroe District states that the Order issued by the Commission on December 1, 2011, in Case No. 2011-00272, adopted findings and recommendations, and Monroe District’s Board of Commissioners has managed the district in conformity with the policies adopted in that Order. Finally, Monroe District states that Case No. 2011-00272 provides historical context to the management decisions that

¹ Case No. 2011-00272, *Application of the Monroe County Water District for the Approval of the Proposed Increase In Rates for Water Service* (Ky. PSC filed Aug. 15, 2011).

² 807 KAR 5:001, Section 11(5).

occurred during the proposed test period and will assist the Commission in assessing the reasonableness of its management decisions and resulting expenses.

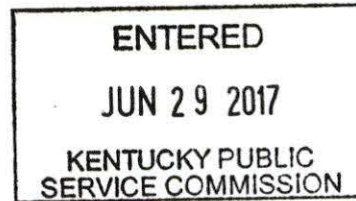
Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that Monroe District has not shown that incorporating by reference the entire record of its last rate case, Case No. 2011-00272, into the record of this rate proceeding will assist the Commission in fully considering the matter. The present proceeding is a rate case filed under the Commission regulation 807 KAR 5:076, which is the alternative rate adjustment procedure for small utilities. That regulation specifically states in Section 3 that the Commission shall make its decision based on the applicant's annual reports, the applicant's rate application, information provided by the applicant in response to requests for information, written reports filed by Commission Staff, stipulations and agreements between the parties and Commission Staff, written comments and information filed by the parties in response to a written report by the Commission Staff, and the record of any hearing. That regulation does not include the incorporation of the record from a prior rate case.

Pursuant to the Commission's April 12, 2017 Order, Monroe Water District is required to file written comments on and any objections to the findings of Commission Staff no later than 14 days from the filing date of the staff report. Monroe District may reference any specific document in the record of Case No. 2011-00272 that it contends is relevant to its comments or objections at that time. Because Monroe District has failed to show good cause to incorporate by reference the entire record of Case No. 2011-00272

at this time, the Commission finds that Monroe District's request to incorporate the record of Case No. 2011-00272 by reference should be denied.

IT IS HEREBY ORDERED that Monroe District's motion to incorporate is denied.

By the Commission



ATTEST:


Executive Director

*Gerald E Wuetcher
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801

*Monroe County Water District
205 Capp Harlan Road
Tompkinsville, KY 42167

*Jana Dupree
Monroe County Water District
205 Capp Harlan Road
Tompkinsville, KY 42167

*Richard O Ross
General Manager
Monroe County Water District
205 Capp Harlan Road
Tompkinsville, KY 42167

*S. Morgan Faulkner
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204