

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CENTER RIDGE WATER DISTRICT NO. 2)	
)	
_____)	CASE NO.
)	2017-00359
ALLEGED FAILURE TO COMPLY WITH AN)	
ORDER BY THE COMMISSION AND 807 KAR)	
5:001, SECTION 20(6))	

ORDER

On April 5, 2017, Peggy S. Rose filed a formal complaint (Complaint) against Center Ridge Water District No. 2, (Center Ridge) alleging that Center Ridge had incorrectly charged her late fees of \$35.19 and requested that Center Ridge be required to refund the charges. On April 18, 2017, the Commission initiated Case No. 2017-00164¹ by entering an Order to satisfy or answer directing Center Ridge to either satisfy the matters complained of therein or file a written answer within ten days. Center Ridge neither filed a response to the Commission’s April 18, 2017 Order nor satisfied Ms. Rose’s Complaint.

On November 2, 2017, the Commission initiated this action and ordered Center Ridge to show cause why it should not be penalized for failing to comply with the Commission’s Order of April 18, 2017, in Case No. 2017-00164. A hearing in this matter was held on January 9, 2018. No response was filed, no representative appeared on

¹ Case No. 2017-00164, *Peggy S. Rose v. Center Ridge Water District No. 2* (Complaint filed April 5, 2017).

behalf of Center Ridge, and the Commission received no motion for an extension of time explaining the reason for any delay in responding to the Commission's Order.

On March 16, 2018, the Commission entered an Order in this proceeding finding that Center Ridge had willfully failed to obey the Commission's April 18, 2017 Order in Case No. 2017-00164 and that such failure constituted a violation of 807 KAR 5:001, Section 20(6). The Commission, pursuant to KRS 278.990, assessed a penalty of \$2,500.00 to Center Ridge.

Center Ridge took no action to comply with the Orders in this case or in Case No. 2017-00164; however, in 2019 Bluegrass Water Utility Operating Company, LLC (Bluegrass Water) filed an application with the Commission to acquire several utilities in Kentucky, including Center Ridge.² The Commission conditionally approved Center Ridge's transfer, requiring that prior to Bluegrass Water finalizing acquisition of Center Ridge, Center Ridge must, *inter alia*, (1) pay the penalty assessed in this proceeding; and (2) refund the \$35.19 in late fees to Ms. Rose.³

On June 12, 2020, Center Ridge submitted to the Commission a payment of \$2,500.00 due for the penalty assessed in this proceeding. Center Ridge also filed proof of payment of \$36.80 to Ms. Rose in satisfaction of her Complaint in Case No. 2017-00164.

² Case No. 2019-00360, *Electronic Proposed Acquisition by Bluegrass Water Utility Operating Company, LLC and the Transfer of Ownership and Control of Assets by Center Ridge Water District, Inc.; Joann Estates Utilities, Inc.; and River Bluffs, Inc.* (filed Oct. 21, 2019).

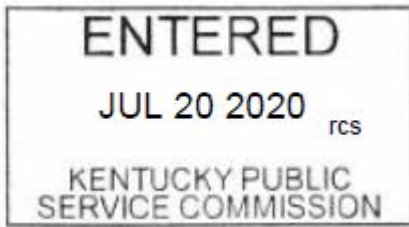
³ Case No. 2019-00360, *Electronic Proposed Acquisition by Bluegrass Water Utility Operating Company, LLC and the Transfer of Ownership and Control of Assets by Center Ridge Water District, Inc.; Joann Estates Utilities, Inc.; and River Bluffs, Inc.* (Ky. PSC Feb. 17, 2020) final Order, ordering paragraph 20.

The Commission finds that Center Ridge has satisfied the March 16, 2018 Order in this case as well as the April 18, 2017 Order in Case No. 2017-00164. The Commission further finds that this case should be dismissed with prejudice and removed from the Commission's docket.

IT IS THEREFORE ORDERED that this case is dismissed with prejudice and removed from the Commission's docket.

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By the Commission



ATTEST:



Acting Executive Director

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1980 Buffalo Road
New Concord, KY 42076

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