

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF JESSAMINE-	)	
SOUTH ELKHORN WATER DISTRICT AND ITS	)	
INDIVIDUAL COMMISSIONERS, JAMES F. HALL,	)	CASE NO.
JERRY HAWS, THOMAS BEAL, AND CLAY	)	2022-00344
CORMAN, ALLEGED VIOLATION OF KRS	)	
278.300	)	

ORDER

On August 31, 2023, Jessamine-South Elkhorn Water District (Jessamine-South Elkhorn District) and its Individual commissioners, James F. Hall, Jerry Haws, Thomas Beal, and Clay Corman (collectively, Joint Movants), filed a motion for an extension of time requesting an additional two months to file a post-hearing memorandum brief that was due on August 31, 2023. There are no intervenors in this matter. Joint Movants' motion is now before the Commission for a decision.

The Commission initiated this matter with an April 14, 2023 Order to investigate the alleged failure of Jessamine-South Elkhorn District and its individual commissioners to comply with KRS 278.300 by entering into four promissory notes without the Commission's prior approval. The April 14, 2023 Order established an initial procedural schedule and indicated, among other things, that motions for extensions of time will be granted only upon a showing of good cause. Following initial discovery, a hearing was conducted in this matter on July 6, 2023. On July 7, 2023, the Commission entered a post-hearing procedural schedule that permitted counsel for Joint Movants to file a memorandum brief in support of their post-hearing position on or before August 31, 2023.

On August 31, 2023, Joint Movants filed their motion for an extension of time to file their post-hearing memorandum brief. Joint Movants indicated that an additional two months is requested to give counsel time to prepared and submit an offer of settlement after discussing it with his clients. Joint Movants further stated that if the offer of settlement is declined, counsel would want an opportunity to submit a post-hearing memorandum. Joints Movants asserted that this is a path to concluding this investigation without further expenditure of time and resources, and therefore, that good cause exists for granting the motion. Joint Movants argued that granting the motion will not cause prejudice or undue delay to the Commission.

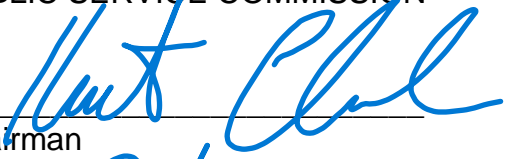
The Commission does not look favorably on motions for extensions of time, but will generally grant them upon a showing of good cause.<sup>1</sup> However, Joint Movants already had nearly two months between the hearing and the date their memorandum brief was due to make or request to make any filing they believe is necessary. Joint Movants provided no reason why their memorandum brief or an offer of settlement could not have been prepared in the 55 days between the entry of the post-hearing procedural schedule and August 31, 2023. Joint Movants also gave no explanation for why they waited 55 days to request an extension of time on the last day they could file the post-hearing memorandum brief. Thus, the Commission finds that good cause has not been shown to grant the motion for an extension of time.

IT IS THEREFORE ORDERED that the motion for an extension of time filed on behalf of Jessamine-South Elkhorn District and its Individual commissioners, James F. Hall, Jerry Haws, Thomas Beal, and Clay Corman, is denied.

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<sup>1</sup> Order (Ky. PSC April 1, 2023), Ordering Paragraph 14.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ENTERED  
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KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
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