

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF GREEN RIVER)	CASE NO.
VALLEY WATER DISTRICT FOR ADJUSTMENT)	2023-00088
OF RATES)	

ORDER

This matter arises from an application for a general rate adjustment filed by Green River Valley Water District (Green River Valley District) on May 3, 2023.¹ On May 26, 2023, the Commission, on its own motion, scheduled an evidentiary hearing in this matter to be held on August 2, 2023. On July 17, 2023, Green River Valley District filed a waiver of its right to a hearing and moved that the evidentiary hearing in this matter be canceled and that this matter be submitted for a decision on record, except to permit the filing of a final report on rate case expenses no later than August 15, 2023. Green River Valley District's motion is now before the Commission for a decision.

LEGAL STANDARD

Section 9 1(a) and (b) of 807 KAR 5:001 states that:

Unless a hearing is not required by statute, is waived by the parties in the case, or is found by the commission to be unnecessary for protection of substantial rights or not in the public interest, the commission shall conduct a hearing if:

- (a) An order to satisfy or answer a complaint has been made and the person complained of has not satisfied the complaint; or

¹ Green River Valley Water District tendered its application on May 1, 2023. By letter dated May 3, 2023, the Commission rejected the May 1, 2023 application for filing deficiencies. The deficiencies were subsequently cured, and the application is deemed filed on May 3, 2023.

(b) A request for hearing has been made.

Furthermore, Section 9 2(b)(1) of 807 KAR 5:001 authorizes the Commission to “order an applicant to give notice to the public of any hearing on the applicant’s application[]” and requires the Commission to “order an applicant for a general adjustment of rates [. . .] to give notice of any hearing on its application.”

DISCUSSION

The Commission scheduled the evidentiary hearing in this matter before written discovery was complete. With the completion of written discovery, the Commission now finds that an evidentiary hearing is not necessary for it to make a decision in this case. Further, Green River Valley District has expressly waived its right to a hearing, and the Commission is sensitive to the cost associated with such proceedings. Thus, the Commission now finds that a hearing is not in the public interest or necessary for the protection of substantial rights.


However, the Commission recognizes that customers have already received notice of this hearing and may intend to offer public comments. Thus, the Commission finds that the evidentiary hearing in this matter should be canceled and converted to a hearing to receive public comments, if any. The Commission will go on the record at the scheduled time of the hearing to receive any public comments or to note that no person has requested to provide public comments. Green River Valley District and its representatives will be excused from attending the hearing to receive public comments. To permit Green River Valley District to file a final report on rate case expenses, the Commission finds that the record in this matter should remain open until August 15, 2023, at which point the record should be closed unless the Commission orders otherwise.

IT IS HEREBY ORDERED that:


1. The evidentiary hearing in this matter shall be canceled and converted to a hearing to receive public comments, if any.
2. Green River Valley District and its representatives will be excused from attending the hearing to receive public comments.
3. This case shall stand submitted for a decision by the Commission effective 12:01 a.m. Eastern Daylight Time, August 16, 2023.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ENTERED
JUL 24 2023
rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

*Andrew Tucker
General Manager
Green River Valley Water District
1180 E Main Street
P. O. Box 460
Horse Cave, KY 42749

*Honorable Damon R Talley
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801

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

*John Bunnell
Green River Valley Water District
1180 E Main Street
P. O. Box 460
Horse Cave, KY 42749

*Green River Valley Water District
1180 E Main Street
P. O. Box 460
Horse Cave, KY 42749