

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ALTERNATIVE RATE ADJUSTMENT FILING OF) CASE NO.
FARMDALE WATER DISTRICT) 2020-00021

ORDER

On January 22, 2020, Farmdale Water District (Farmdale District) submitted an application (Application) requesting to adjust its monthly water service rates pursuant to the procedures set forth in 807 KAR 5:076.

The Commission finds that a procedural schedule should be established to ensure the orderly review of Farmdale District's Application.

All requests for intervention should be filed by March 3, 2020. Any motion to intervene filed after March 3, 2020, should show a basis for intervention and good cause for being untimely. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding which is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Further, KRS 278.040(2) requires that a person seeking intervention must have an interest in the rates or service of a utility, as those are the only matters that are subject to the Commission's jurisdiction.

Based on the foregoing, the Commission further finds that any person requesting to intervene in a Commission proceeding must state with specificity the person's special

interest that is not otherwise adequately represented or the issues and facts the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of water consumed by the movant or a general statement regarding a potential impact of possible modification of rates will not be deemed sufficient to establish a special interest.

Finding that a procedural schedule¹ should be established to ensure the orderly review of the Application, the Commission HEREBY ORDERS that:

1. No later than April 30, 2020, Commission Staff (Staff) shall file with the Commission and serve upon all parties of record a written report (Staff Report) containing its findings regarding Farmdale District's requested rate adjustment.

2. No later than 14 days after the date of the filing of the Staff Report, each party of record shall file with the Commission:

a. Its written comments on and any objections to the findings contained in the Staff Report; and

b. Any additional evidence for the Commission to consider.

3. If Staff finds that Farmdale District's financial condition supports a higher rate than Farmdale District proposes or the assessment of an additional rate or charge not proposed in the Application, Farmdale District shall also state in its written response to the Staff Report its position on whether the Commission should authorize the assessment of the higher rate or the additional rate or charge.

¹ No action is necessary to suspend the effective date of Farmdale District's proposed rates for service. Pursuant to 807 KAR 5:076, Section 7(1), an applicant who applies for a rate adjustment pursuant to the procedures set for in 807 KAR 5:076 may not place its proposed rates into effect until the Commission approves those rates or six months from the date of the filing of its application.

4. If Staff finds that changes should be made to the manner in which Farmdale District accounts for the depreciation of Farmdale District's assets, Farmdale District shall also state in its written response to the Staff Report its position on whether the Commission should require Farmdale District to implement the proposed change for accounting purposes.

5. A party's failure to file written objections to a finding contained in the Staff Report within 14 days after the date of the filing of the Staff Report shall be deemed a waiver of all objections to that finding.

6. If a party requests a hearing or informal conference, the party shall make the request in its written comments and state why a hearing or informal conference is necessary.

7. A party's failure to request a hearing or informal conference in the party's written response shall be deemed a waiver of all rights to a hearing on the Application and a request that the case stand submitted for decision.

8. A party's failure to file a written response within 14 days after the date of the filing of the Staff Report shall be deemed a waiver of all rights to a hearing on the Application.

9. All requests for intervention shall be filed by March 3, 2020.

10. Any motion to intervene filed after March 3, 2020, shall show a basis for intervention and good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule established for this proceeding.

By the Commission

ENTERED
FEB 10 2020
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director
For Kent A. Chandler

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