

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION INTO THE	)	CASE NO.
FINANCIAL AND OPERATING CAPACITY OF	)	2021-00340
RATTLESNAKE RIDGE WATER DISTRICT	)	

ORDER

On November 15, 2021, Rattlesnake Ridge Water District (Rattlesnake Ridge District) filed a motion requesting that the Commission grant its request for an informal conference and postpone the hearing scheduled in this matter for January 12, 2022.

Rattlesnake Ridge District was a party to Case No. 2019-00041<sup>1</sup> and was ordered to fulfill several general and specific requirements to improve its water loss, finances, and operations at the utility.<sup>2</sup> Rattlesnake Ridge District filed several documents on June 26, 2020 in response that were noted in the Commission's July 30, 2021 Order.<sup>3</sup> In that Order, the Commission found that Rattlesnake Ridge District substantially complied with the Commission's November 22, 2019 Order, but should meet with Staff to discuss continued efforts to improve its financial and operational capacity.<sup>4</sup> On October 18, 2021, the Commission on its own motion established this case to investigate Rattlesnake Ridge District and its commissioners because of the Commission's concern regarding

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<sup>1</sup> See generally, Case No. 2019-00041, *Electronic Investigation into Excessive Water Loss by Kentucky's Jurisdictional Water Utilities* (Ky. PSC. Nov. 22, 2019).

<sup>2</sup> *Id.*, Appendix I.

<sup>3</sup> *Id.* (Ky. PSC July 30, 2021), final Order.

<sup>4</sup> *Id.* at 18.

Rattlesnake Ridge District's sustained excessive water loss and concerns about the utility's financial capacity. The Commission scheduled a hearing to take evidence on the issues that also complied with the July 30, 2021 Order in Case No. 2019-00041.<sup>5</sup> Rattlesnake Ridge District filed several documents on November 8, 2021, in response. In support of its motion to postpone the hearing scheduled in this matter, Rattlesnake Ridge District explained that it filed documents to support its compliance and requested the hearing in this matter be postponed. Rattlesnake Ridge District requested the Commission order an informal conference "to address the Order in this matter prior to a hearing."<sup>6</sup>

As a matter of procedure, Commission Staff may, during the course of an ongoing matter, meet with utilities and counsel through informal conferences to discuss procedure and guidance, however Commission Staff cannot speak for the Commission and the Commission only speaks through its Orders. Following an informal conference, a memo is prepared and entered into the record to memorialize the highlights of the informal conference generally. When a matter is scheduled for a hearing, pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording is made of the hearing.

Having considered the motion and the material at issue, the Commission finds that the hearing should remain on the Commission's calendar at this time so that the Commission may consider the evidence presented at a hearing on the issues. The Commission also finds that Commission Staff may meet with Rattlesnake Ridge District

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<sup>5</sup> *Id.*

<sup>6</sup> Rattlesnake Ridge District's Motion for Informal Conference (filed Nov. 15, 2021) at 2.

during an informal conference to provide guidance on the procedure of the Commission as time permits prior to the January 12, 2022 hearing scheduled in this matter.

IT IS THEREFORE ORDERED that:

1. Rattlesnake Ridge District's motion to postpone the hearing scheduled in this matter is denied.

2. Rattlesnake Ridge District's motion for leave to meet with Commission Staff informally is granted.

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By the Commission

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KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2021-00340

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