

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF UNION COUNTY )	CASE NO.
WATER DISTRICT FOR AN ALTERNATIVE RATE )	2022-00160
ADJUSTMENT )	

ORDER

On June 3, 2022, Union County Water District (Union District) tendered its application for a rate adjustment pursuant to KRS 278.040(3) and 807 KAR 5:076, the Commission regulation which establishes a simplified process for small utilities to request rate adjustments. The filing was determined to be deficient and was rejected for filing, because the proposed test year was not based on the utility's annual report for the immediate past year, as required for the Commission to make its decision.<sup>1</sup> By letter dated June 6, 2022, the Commission requested Union District correct the deficiency within ten days.

By letter dated June 14, 2022, Union District stated it would correct the deficiency. Union District requested an extension to June 23, 2022, due to a delay caused by a recent death in the family of a critical office employee.

The Commission, having reviewed the record and being otherwise sufficiently advised finds that good cause exists to grant Union District's request for an extension of time until June 23, 2022, to file its application for an Alternative Rate Adjustment (ARF)

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<sup>1</sup> 807 KAR 5:076, Section 3.

On June 23, 2022, Union District filed its amended application, using financial information from its most recent annual report. In filing the amended application, Union District noted the use of 2021 data would further increase the rates proposed in the originally filed application. Union District further noted it had already published the customer notice associated with the original application for the required three times.<sup>2</sup> While noting the higher rate increase associated with the amended application would require publication of additional customer notice, Union District requested the previously published notice be considered sufficient until the Commission determines Union District's revenue requirement.

The Commission will treat Union District's letters as motions for deviation from the filing requirements for alternative rate adjustments. Because the amended application does not include published notice of the proposed rates, it is deficient as filed. Therefore, the Commission finds that Union District's request to consider the previously published notice as sufficient is denied.

However, the Commission, on its own motion, finds good cause to permit a deviation<sup>3</sup> from 807 KAR 5:076, Section 5(2)(b)(3). Union District shall publish notice containing the rates in its revised application only once in a newspaper of general circulation in its service area. Following Union District's filing proof that the customer notice containing the rates being proposed using the financial 2021 data has been published, the Commission will accept the June 23, 2022 amended application for filing.

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<sup>2</sup> 807 KAR 5:076, Section 5(2)(3) provided that customer notice may be made by publishing the notice once a week for three consecutive weeks in a newspaper of general circulation in the utility's service area.

<sup>3</sup> See 807 KAR 5:076, Section 17.

IT IS THEREFORE ORDERED that:

1. Union District's request for an extension of time until June 23, 2022, to file its ARF application is granted.
2. Union District's request to consider the customer notice previously published as sufficient to meet minimum filing requirements is denied.
3. Union District is granted a deviation from Commission regulation 807 KAR 5:076, Section 5(2)(b)(3), and shall publish a customer notice containing the rates being proposed using 2021 financial data once in a newspaper of general circulation within its service area.
4. Upon publication, Union District shall file proof of publication of the notice to the Commission.

PUBLIC SERVICE COMMISSION



Chairman

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Vice Chairman

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Commissioner



ATTEST:



Executive Director

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