

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC JOINT APPLICATION OF LARUE )	
COUNTY WATER DISTRICT NO. 1 AND THE )	
CITY OF NEW HAVEN FOR AN ORDER )	
APPROVING THE TRANSFER OF OWNERSHIP )	
OF THE CITY OF NEW HAVEN'S WATER )	CASE NO.
SYSTEM AND APPROVING LARUE COUNTY )	2022-00207
WATER DISTRICT NO. 1'S ASSUMPTION OF )	
CERTAIN DEBT OBLIGATIONS OF THE CITY OF )	
NEW HAVEN PURSUANT TO THE PROVISIONS )	
OF KRS 278.020, KRS 278.300, AND 807 KAR )	
5:001 )	

ORDER

On July 14, 2022, LaRue County Water District #1 (LaRue District #1) filed an application, pursuant to KRS 278.020 and KRS 278.300, requesting approval of LaRue District #1's acquisition of the city of New Haven's water system, a utility not currently subject to the Commission's jurisdiction,<sup>1</sup> and for approval to issue securities and assume certain debt obligations.

KRS 278.300(2) states that the Commission shall render a decision on an application for authority to issue or assume securities or evidences of indebtedness within

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<sup>1</sup> A city-owned water utility is not a "utility" as defined by KRS 278.010 and thus not subject to the Commission's jurisdiction. Under such facts, KRS 278.020(6) and KRS 278.020(7), which require prior Commission approval of the transfer or control of any "utility," do not apply. However, when a jurisdictional utility acquires a system operated by a city, Commission approval is required pursuant to KRS 278.020(1)(a). See Case No. 2021-00387, *Electronic Joint Application of Grayson County Water District and the City of Caneyville for an Order Approving the Transfer of Ownership of the City of Caneyville's Water System and Approving Grayson County Water District's Assumption of Certain Debt Obligations of the City of Caneyville Pursuant to the Provisions of KRS 278.020, KRS 278.300, and 807 KAR 5:001* (Ky. PSC June 6, 2022).

60 days after the application was filed, unless it is necessary for good cause to continue the application for a longer time than 60 days. Based upon a review of the application, the Commission finds that good cause exists to continue the application for longer than 60 days because an investigation will be necessary, and that the investigation cannot be completed by September 12, 2022. The Commission will use its best efforts to timely process this case.

The Commission also finds that a procedural schedule is established for the orderly processing of this case. A procedural schedule is set forth in the Appendix to this Order.

IT IS THEREFORE ORDERED that:

1. This case is continued for longer than 60 days.
2. The procedural schedule set forth in the Appendix to this Order shall be followed.
3. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. The Commission directs the parties to the Commission's July 22, 2021 Order in Case No. 2020-00085<sup>2</sup> regarding filings with the Commission.
4. 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)

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<sup>2</sup> Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

a special interest in the proceeding that 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. Therefore, 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 that the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service 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. In addition, any motion to intervene filed after the date established in the procedural schedule shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

5. LaRue District #1's shall give notice of any scheduled hearing in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, [psc.ky.gov](http://psc.ky.gov)"; and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listing on the PSC website, [psc.ky.gov](http://psc.ky.gov)." At the time publication is requested, LaRue District #1 shall forward a duplicate of the notice and request to the Commission.

6. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

7. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

8. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

9. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

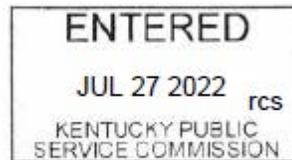
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PUBLIC SERVICE COMMISSION

  
Chairman

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Vice Chairman

  
Commissioner



ATTEST:

  
Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2022-00207 DATED JUL 27 2022

Last day for intervention requests to be accepted.....	08/05/2022
All initial requests for information to LaRue District #1 shall be filed no later than .....	08/08/2022
LaRue District #1 shall file responses to initial requests for information no later than.....	08/24/2022
All supplemental requests for information to Larue District #1 shall be filed no later than .....	09/02/2022
Larue District #1 shall file responses to supplemental requests for information no later than .....	09/13/2022
Intervenor testimony, if any, in verified prepared form shall be filed no later than.....	09/16/2022
All requests for information to Intervenors shall be filed no later than .....	09/28/2022
Intervenors shall file responses to requests for information no later than.....	10/05/2022
LaRue District #1 shall file, in verified form, its rebuttal testimony no later than .....	10/10/2022
Last day for Parties to request a Public Hearing or submit a request for the matter be decided based upon the written record .....	10/14/2022

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