

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC JOINT APPLICATION OF)	
BLUEGRASS WATER UTILITY OPERATING)	
COMPANY, LLC AND THE ELECTRIC PLANT)	
BOARD OF MAYFIELD, KENTUCKY FOR)	CASE NO.
APPROVAL OF ACQUISITION AND TRANSFER)	2022-00218
OF OWNERSHIP AND CONTROL OF)	
WASTEWATER FACILITIES SERVING)	
RANDVIEW ESTATES SUBDIVISION IN GRAVES)	
COUNTY, KENTUCKY)	

ORDER

On March 14, 2023, the Electric Plant Board of Mayfield, Kentucky (Mayfield Plant Board) filed a motion requesting an extension of time to file responses to Commission Staff's First Request for Information (Staff's First Request) in transfer case pursuant to KRS 278.020 involving transfer of sewer facilities from Bluegrass Water Utility Operating Company, LLC (Bluegrass Water), which was issued on March 8, 2023, with responses due March 15, 2023. Mayfield Plant Board stated that its superintendent, Mr. Marty Ivy, has been out of the country since before Staff's First Request was issued and will not return until March 20, 2023. Mayfield Plant Board requested an extension until March 28, 2023, to file the responses.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that Mayfield Plant Board has shown good cause for an extension of time until March 28, 2023, to answer Staff's First Request. This is because it may not be possible for the Mayfield Plant Board to provide thorough and complete responses to the

data request without the participation of Mr. Ivy. As the utility's superintendent, Mr. Ivy is likely to have unique knowledge regarding the continued operations of the facilities under Mayfield Plant Board's responsibility. Granting the request for an extension of time to file the responses will assist in developing a robust record upon which the Commission will render its decision.

However, granting the request impacts the statutory time period for processing this case. Under KRS 278.020(7):

The commission shall grant, modify, refuse, or prescribe appropriate terms and conditions with respect to every such application within sixty (60) days after the filing of the application therefor, unless it is necessary, for good cause shown, to continue the application for up to sixty (60) additional days. The order continuing the application shall state fully the facts that make continuance necessary.

Because the Commission has not previously continued this proceeding for an additional 60 days, the statutory due date for an Order is April 16, 2013. Granting the extension of time to file the responses provides the Commission with only 13 business days before a final Order must be issued, which is not sufficient time to adequately review the responses, potentially issue further data requests to develop the case record and issue a final Order.

Based upon the above, the Commission finds, pursuant to KRS 278.020(7), that this matter should be continued for an additional 60 days up to and including June 15, 2023, to provide sufficient time to investigate the issues presented and issue an Order.

The Commission also finds that the existing procedural schedule should be amended. An amended procedural schedule is attached as an Appendix.

IT IS HEREBY ORDERED that:

1. Mayfield Plant Board's motion for an extension of time to answer Staff's First Request is granted.
2. Responses to Staff's First Request are due March 28, 2022.
3. For good cause pursuant to KRS 278.020(7), the deadline for submitting a final Order in this case is continued by 60 days to June 15, 2023.
4. The amended procedural schedule set forth in the Appendix to this Order shall be followed.

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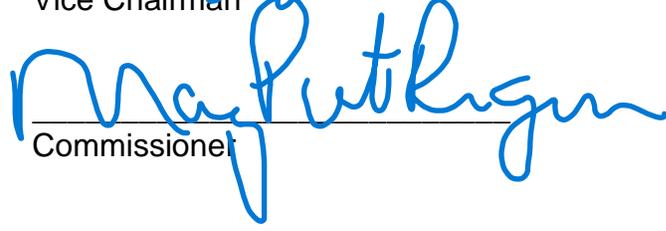
PUBLIC SERVICE COMMISSION



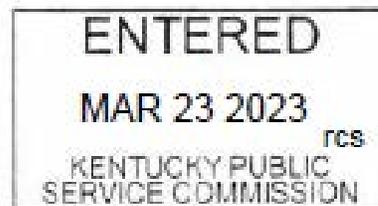
Chairman



Vice Chairman



Commissioner



ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00218 DATED MAR 23 2023

Bluegrass Water or Mayfield Plant Board shall file responses
to initial requests for information no later than 03/28/2023

All supplemental requests for information to Bluegrass Water
or Mayfield Plant Board shall be filed no later than 04/11/2023

Bluegrass Water or Mayfield Plant Board shall file responses
to supplemental requests for information no later than 04/25/2023

Last day for Parties to request a Public Hearing or submit a
request for the matter be decided based upon the written record 05/09/2023

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