

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC ALLEGED FAILURE OF)	
FARMDALE WATER DISTRICT, AND ITS)	
INDIVIDUAL COMMISSIONERS RICHARD)	
TANNER, DONALD MORSE, AND SCOTTIE)	CASE NO.
WOOLRIDGE, AND MANAGER JAMIE ROBERTS)	2022-00347
TO COMPLY WITH KRS 278.030, 807 KAR 5:006,)	
SECTION 4(4), 807 KAR 5:006, SECTION 26 AND)	
807 KRS 5:066)	

ORDER

On December 14, 2022, counsel for Farmdale Water District (Farmdale District), Scottie Woolridge, and Jamie Roberts filed a motion for an extension of time to file their responses to the Commission’s November 7, 2022 Order opening this investigation. That Order required a response from each named party within 20 days of service of the Order issued November 7, 2022. As of the filing of this motion, no responses had been filed.

The motion stated that the “current members” of Farmdale District’s board of commissioners did not become aware of the November 7, 2022 Order until the week of December 5, 2022, and because of their limited experience as commissioners and their limited knowledge of utility laws and regulations, they “failed to recognize the seriousness of Farmdale District’s situation.”¹ The motion sought an extension of time to file a response to said Order until January 16, 2023.

¹ Motion for Extension of Time to Respond (filed Dec. 14, 2022), numbered paragraph 2.

As an initial matter, the Commission notes that the motion referenced Farmdale District's "current members" in the response on behalf of Mr. Woolridge and Mr. Roberts. Farmdale District shall file a response into the case record of this proceeding stating whether Richard Tanner and Donald Morse remain as utility commissioners, and if not, the date(s) their terms ended and the reason(s) their terms ended. If replacement commissioners have been appointed, Farmdale District shall file a response into the case record of this proceeding identifying all its commissioners other than Mr. Woolridge, the date(s) of their appointment, and their terms in office.

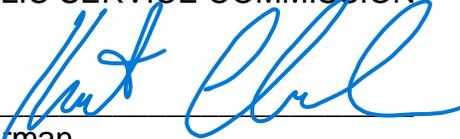
Having considered the motion and the case record, the Commission finds that Farmdale District failed to establish good cause, and therefore the motion should be denied. The November 7, 2022 Order was served on the parties at Farmdale District's address on file with the Commission in compliance with 807 KAR 5:006, Section 3. The Commission will not excuse Farmdale District or its officers from the potential consequences of failing to comply with the Order served on Farmdale District at the address on file with the Commission, whether it is a result of Farmdale District failing to review its mail or failing to respond to the Order due to commissioner inexperience. The excuses proffered by Farmdale District, its officers, and its manager fall short of expected conduct of a jurisdictional utility and those responsible for overseeing the utility's management and operations, and do not establish good cause.

However, to ensure that a robust record is developed given the nature of the allegations under investigation, the Commission, on its own motion, will permit the late filing of all parties in response to the November 7, 2022 Order, as long as the filings are received on or before January 20, 2023.

IT IS THEREFORE ORDERED that:

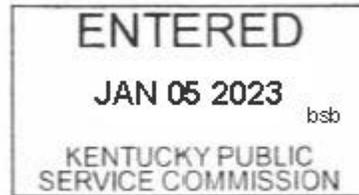
1. Farmdale District's motion for an extension of time is denied.
2. Farmdale District, Richard Tanner, Donald Morse, Scottie Woolridge, and Jamie Roberts shall submit to the Commission a written response to the allegations contained in the Commission's November 7, 2022 Order and in response to the issues presented in the body of this Order on or before January 20, 2023.
3. The procedural schedule set forth in Appendix A to the Commission's November 7, 2022 Order is stricken (except for the intervention deadline) and replaced with the procedural schedule contained in the Appendix to this Order.
4. All other provisions of the November 7, 2022 Order not in conflict with this Order shall remain in effect.

PUBLIC SERVICE COMMISSION


Chairman

Vice Chairman


Commissioner



ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00347 DATED JAN 05 2023

All initial requests for information to Farmdale District
shall be filed no later than 02/03/2023

Farmdale District shall file responses to initial requests for
information no later than..... 02/17/2023

All supplemental requests for information to Farmdale District
shall be filed no later than 03/03/2023

Farmdale District shall file responses to supplemental requests
for information no later than 03/17/2023

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