

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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| ELECTRONIC APPLICATION OF BLUEGRASS |) | CASE NO. |
| WATER UTILITY OPERATING COMPANY, LLC |) | 2022-00432 |
| FOR AN ADJUSTMENT OF SEWAGE RATES |) | |

ORDER

On May 19, 2023, the Office of the Attorney General (Attorney General) filed a motion to compel certain information from Bluegrass Water Utility Operating Company, LLC (Bluegrass Water) in response to the Attorney General's First Request for Information (Attorney General's First Request).¹ On May 24, 2023, Scott County, Kentucky (Scott County) also filed a motion to compel certain information from Bluegrass Water in response to Scott County's First Request for Information (Scott County's First Request).² Bluegrass Water filed its responses to both motions to compel on May 26, 2023. Scott County filed a reply on May 30, 2023. No party has requested oral argument on these motions. The motions to compel stand ready for a decision on the record.

LEGAL STANDARD

If permitted by order of the commission, a party may request information from another party to the case in accordance with 807 KAR 5:001, Section 4(12).³ Responses to a request for information must be provided under oath or "be accompanied by a signed

¹ Attorney General's First Request (filed Apr. 28, 2023).

² Scott County's First Request (filed Apr. 28, 2023).

³ 807 KAR 5:001, Section 4(12)(a).

certification of the preparer or person supervising the preparation of the response on behalf of the person that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry."⁴ "If a party served with a request for information fails or refuses to furnish all or part of the requested information, the party shall provide a written explanation of the specific grounds for the failure to completely and precisely respond."⁵

A party may seek to compel responses to requests for information by filing a motion to compel. Specifically, 807 KAR 5:001, Section 4(12)(e)(2), states that:

A party shall compel compliance with the party's request for information by motion to the commission, which shall include:

1. A description of the information requested;
2. The reasons why it is relevant to the issues in the case; and
3. The efforts taken to resolve any disagreement over the production of the requested information.

DISCUSSION AND FINDINGS

Attorney General's Motion to Compel:

The Attorney General's motion requests that Bluegrass Water be compelled to provide certain information in response to the Attorney General's First Request , Items 6, 46, and 61 (hereinafter, AG 1-6, AG 1-46, and AG 1-61, respectively). The Attorney General states that it informed counsel for Bluegrass Water of its opinion that supplemental responses were required for certain requests, but counsel for Bluegrass Water responded that it would not provide supplemental information for these particular requests.⁶

⁴ 807 KAR 5:001, Section 4(12)(d)(2).

⁵ 807 KAR 5:001, Section 4(12)(d)(5).

⁶ Attorney General's Motion to Compel (filed May 19, 2023) at 12.

AG 1-6 and AG 1-46:

AG 1-6 requested that Bluegrass Water and CSWR “provide calculations demonstrating that any charitable, lobbying/political, advertising, dues or membership fees paid to trade groups or law firms, and business development costs have been removed,” including specific information regarding costs paid to groups that perform certain activities.⁷ AG 1-46 similarly requested information regarding how business development costs were determined to be excluded, including each employee, including their department, and any outside contractors whose costs were excluded from this filing, and the accounts and amounts charged to business development expense annually for each calendar year from 2020 to 2022 and for each month in 2023 through March 2023.⁸

Bluegrass Water’s response to AG 1-6 and AG 1-46 objected to these requests as being “overly broad, unduly burdensome, and seeking information outside the scope of this rate case or information about expenses that are not included in its rates.”⁹ Bluegrass Water also stated this was addressed in the Direct Testimony of Brent Thies, which generally indicated that such amounts were excluded.¹⁰

In its motion, the Attorney General stated that the testimony of Mr. Thies plainly provided that certain costs were identified and excluded.¹¹ The Attorney General argued that the costs at issue should not be recovered from ratepayers and that without the

⁷ Attorney General’s First Request (filed Apr. 28, 2023), Item 1-6.

⁸ Attorney General’s First Request, Item 1-46.

⁹ Bluegrass Water’s Response to Attorney General’s First Request (filed May 12, 2023).

¹⁰ Bluegrass Water’s Response to Attorney General’s First Request.

¹¹ Attorney General’s Motion to Compel at 5.

requested information, it will be difficult for the Attorney General or the Commission to determine whether these costs have actually been fully and appropriately excluded.¹²

Bluegrass Water's response to the Attorney General's motion stated that AG 1-6 and AG 1-46 sought information for expenses that were never incurred by Bluegrass Water and that CSWR never allocated these expenses to Bluegrass Water.¹³ Therefore, Bluegrass Water argued this information is not relevant to this proceeding as it does not factor into the calculation of rates.¹⁴ Bluegrass Water nonetheless filed supplemental responses on May 26, 2023, to both of these requests, providing CSWR expenses for the historical test year, indicating they were excluded, and as such, in its response, argued that the motion with respect to these two requests are moot.¹⁵

The Commission agrees that the information sought in AG 1-6 and AG 1-46 is relevant to this case. A significant portion of the operating expenses incurred by Bluegrass Water include costs incurred by or through CSWR. To determine Bluegrass Water's share of those costs, Bluegrass Water indicated that, among other things, it excluded certain costs that cannot be recovered in rates, such as advertising and lobbying costs, and then allocated costs between Bluegrass Water and other operations through various methods, including "a three-factor methodology based on the Massachusetts method of cost allocation for utilities" and a methodology using employee time sheets.¹⁶

¹² Attorney General's Motion to Compel at 5–6.

¹³ Bluegrass Water's Response to Attorney General's Motion to Compel at 1–2.

¹⁴ Bluegrass Water's Response to Attorney General's Motion to Compel at 3–5.

¹⁵ Bluegrass Water's Response to Attorney General's Motion to Compel at 2.

¹⁶ Bluegrass Water's Response to Commission Staff's First Request for Information, Item 1; see also Application, Exhibit 10, Direct Testimony of Brent Theis at 11–19.

A logical method to assess whether all unrecoverable expenses were removed and whether allocations were reasonable is to start with the total expenses incurred, determine what was removed or allocated to other activities, and assesses whether those removal or allocations were reasonable and consistent with methodologies Bluegrass Water purported to use. It is also reasonable to look at similar information for previous years to determine what changes have occurred. Thus, the information requested by the Attorney General in AG 1-6 and AG 1-46 is relevant to this case and should have been produced by Bluegrass Water.

Bluegrass Water's supplemental responses to AG 1-6 and AG 1-46 did provide some of the information requested; however, Bluegrass Water failed to provide some of the more detailed information requested by the Attorney General. Specifically, it apparently provided CSWR's total general ledger expenses for the 3rd quarter of 2022 to the 2nd quarter of 2023, provided a breakdown of those expenses, indicated certain expenses that were removed, and provided the total business development expense excluded and a total for other exclusions. However, with respect to AG 1-46, Bluegrass Water's supplement did not provide a substantive response to the following requests:

Identify each employee, including their department, and any outside contractors whose [business development] costs were excluded from this filing.

Identify the accounts and amounts charged to business development expense annually for calendar years 2020 through 2022 and monthly for the period January, 2023 through March, 2023.

For any employee whose costs are identified and charged to Business Development Expense during 2022, provide the employee's job description and all job descriptions for those employees whom the "Business Development" employee reports to.

Similarly, with respect to AG 1-6, Bluegrass Water's supplement did not provide the detailed information regarding dues or membership fees requested in subparts a., b., or c.; or indicate that dues or membership fees to such organizations are not paid at all. The Commission finds that this information is relevant to assessing whether unrecoverable expenses were properly excluded and the reasonableness of cost allocations. Thus, the Commission finds that the Attorney General's motion to compel should be granted with respect to that information and that Bluegrass Water should be required to provide the same within 7 days from the date of service of this order.

AG 1-61:

AG 1-61 requested Bluegrass Water provide the audited financial statements of US Water, LLC for the periods 2021 and 2022.¹⁷ Bluegrass Water's response to AG 1- 61 objected to this Request as seeking the records of a non-applicant that is not its direct parent.¹⁸

In its motion, the Attorney General argued the financial dealings of the parent company are relevant to the rate request of the subsidiary in that, if a parent company forwards funds to a subsidiary, such as Bluegrass Water, the funding will be classified as equity, regardless of the true source of the parent funding.¹⁹ The Attorney General stated this could pose a situation where customers reimburse Bluegrass Water owners at an equity rate, in excess of the true costs of the underlying financing.²⁰ The Attorney General

¹⁷ Attorney General's First Request, Item 1-61.

¹⁸ Bluegrass Water's Response to Attorney General's First Request, Item 1-61.

¹⁹ Attorney General's Motion to Compel at 2.

²⁰ Attorney General's Motion to Compel at 2.

further argued the Commission and Kentucky's courts have previously found that financial information pertaining to a jurisdictional utility company's parent entity is relevant and discoverable.²¹

Bluegrass Water's Response stated that US Water is simply an investor in CSWR, Bluegrass Water's parent company, and is therefore a legally distinct entity from Bluegrass Water.²² Bluegrass Water argued it recently obtained debt financing, without US Water's assistance, to move toward the goal of a 50:50 debt to equity capital structure as instructed by the Commission. Therefore, Bluegrass Water argued that US Water's capital structure has no bearing on Bluegrass Water's finances or its capital structure, nor does US Water's financial position have any bearing on the relief Bluegrass Water seeks in this application.²³ Bluegrass Water further argued that there is also Commission precedent that holds information on a company's parent entity is not relevant or discoverable in this situation when there is no obligation on the part of the entity in question to assist Bluegrass Water in its financing.²⁴

The Commission understands that the Attorney General is attempting to determine whether Bluegrass Water is engaging in double leveraging in which debt is taken out at the parent company level and then classified as equity at the regulated utility level. The

²¹ Attorney General's Motion at 2–3 (citing to Case No. 2015-00418, *In Re: Application of Kentucky-American Water Company for an Adjustment of Rates* (Ky. PSC June 17, 2016), Order at 6-10; and *Com. ex rel. Hancock v. South Central Bell Tel. Co.*, 528 S.W.2d 659, 660-662 (Ky. 1975)).

²² Bluegrass Water's Response to Attorney General's Motion to Compel at 9.

²³ Bluegrass Water's Response to Attorney General's Motion to Compel at 8–9.

²⁴ Bluegrass Water's Response to Attorney General's Motion to Compel at 8, (citing to Case No. 2011-00161, *In the Matter of: Application of Kentucky Utilities Company for Certificates of Public Convenience and Necessity and Approval of its 2011 Compliance Plan for Recovery by Environmental Surcharge* (Ky. PSC Sept. 1, 2011) at 10.).

Commission has previously taken evidence on this issue,²⁵ and other jurisdictions have similarly sought to determine whether the practice is reasonable. While the Commission is not prepared to say whether double leveraging is reasonable in this context or that it is occurring in this case, the Commission finds that it would be unreasonable to prohibit such an argument at this stage in this case by prohibiting discovery on the topic, especially given Bluegrass Water's structure, which includes several levels of limited liability companies with no employees that are ultimately held by US Water and are managed by another wholly owned subsidiary of US Water. Thus, the Commission concludes that the requested financial statements are relevant and, accordingly, finds that the Attorney General's request should be granted, and that Bluegrass Water should be compelled to provide the requested information in response to AG 1-61 within 7 days of the date of service of this Order.

Scott County's Motion to Compel:

Scott County's motion requests Bluegrass Water be compelled to provide certain information in response to Scott County's First Request, Items 1-18, 1-19, and 1-20 (f) and (g) (hereinafter, SC 1-18, SC 1-19, and SC 1-20 (f) and (g), respectively).

Bluegrass Water argued broadly that Scott's County's motion should be denied, because it fails to meet the procedural requirements for filing a motion to compel set out in 807 KAR 5:001, Section 4(12)(e).²⁶ Bluegrass Water claimed Scott County's motion does not state the reasons why any of the information it seeks is relevant to any issue in

²⁵ See Case No. 2016-00370, *Electronic Application of Kentucky Utilities Company for an Adjustment of its Electric Rates and for Certificates of Public Convenience and Necessity* (filed Mar. 3, 2017), Direct Testimony of J. Randall Woolridge, Ph. D.

²⁶ Bluegrass Water's Response to Scott County's Motion to Compel (filed May 26, 2023) at 1.

this proceeding or otherwise explain why Scott County needs the information. Bluegrass Water also argued that Scott County made no attempt to resolve any of the issues raised in its motion prior to filing its motion, in violation of 807 KAR 5:001, Section 4(12)(e)(3).²⁷ Bluegrass Water finally argued that Scott's County's motion lacks substantive merit, and the information sought is not relevant here.²⁸

Scott County's reply argued that it has identified each item sought, and statements of reasons why the information is relevant; therefore, it meets procedural requirements of 807 KAR 5:001 § 4(12)(e)(1) and (2).²⁹ Scott County also explained that there was communication with Bluegrass Water prior to the filing of its motion, wherein Bluegrass Water did not apprise Scott County of its objections to the requested information, and that Scott County has ultimately made its position clear in its motion.³⁰

The Commission concludes generally that it may proceed to rule on Scott County's motion, as the motion clearly identified the information sought and the reasons the requested information is relevant. The Commission further concludes that Bluegrass Water's claim that Scott County's failure to attempt resolution of the issue requires denial of the motion is rejected. While Scott County should have sought to resolve the issue and should do so in the future, Bluegrass Water continues to object to providing the requested information such that it would be futile to deny this motion simply to require Scott County to resolve the dispute with Bluegrass Water before refiling. Therefore, the

²⁷ Bluegrass Water's Response to Scott County's Motion to Compel at 2.

²⁸ Bluegrass Water's Response to Scott County's Motion to Compel at 2.

²⁹ Scott County's Reply (filed May 30, 2023) at 1–3.

³⁰ Scott County's Reply at 3–4.

Commission rejects Bluegrass Water's request to deny Scott County's motion on procedural grounds and will proceed to discuss the substance of the individual requests below.

SC 1-18:

SC 1-18 requested a copy of prior testimony provided by Timothy S. Lyons, Bluegrass Water's cost of service expert, which was identified in his Curriculum Vitae, that relates to water rates and the date of the final order in those cases.³¹ Bluegrass Water's response to SC 1-18 objected to the request as unduly burdensome in calling for the production of public records readily available to Scott County.³²

In its motion, Scott County argued that it is entitled to examine testimony, if any, submitted by Mr. Lyons in a docket in which wastewater rates were at issue and the identification of the date of the final order in such a proceeding, consistent with the Commission's standard practices.³³ Scott County further argued that Mr. Lyons supports his testimony in the instant case through reliance upon his testimony in other matters; therefore, Bluegrass Water "opened the door" to examination of the items sought.³⁴ Scott County stated it has carefully tailored its request to seek the date of the final order only in relevant proceedings and provided several examples of cases in which similar requests have been fulfilled by utilities during Commission proceedings.³⁵ Scott County further claimed that, if Bluegrass Water had identified its specific concern regarding the

³¹ Scott County's First Request (filed Apr. 28, 2023), Item 1-18.

³² Bluegrass Water's Response to Scott County's First Request (filed May 19, 2023), Item 1-18.

³³ Scott County's Motion (filed May 24, 2023) at 3–9.

³⁴ Scott County's Motion at 5.

³⁵ Scott County's Motion to Compel at 2–3.

production of this information, it is entirely likely that counsel for Scott County would have advised (under the assumption that Mr. Lyons has submitted testimonies falling into the scope of the request and that the records are actually “public records readily available”) that a response containing a link to the testimony or testimonies would have been a sufficient response to Scott County’s request.³⁶

Bluegrass Water’s Response argued this information is properly incorporated by reference into Exhibit TSL-1 and available in the public record.³⁷ Bluegrass Water stated it has listed the name of the utility, the relevant state regulatory commission, and the docket number in which Mr. Lyons sponsored testimony, which properly identifies the public record from which the requested information may be obtained.³⁸ Bluegrass Water further stated it is improper to force Bluegrass Water to perform this work, when Scott County is able to obtain these publicly available records.³⁹

The Commission concludes the information being sought from Bluegrass Water by Scott County is relevant, as the parties in this proceeding should have the ability to determine any differences of Mr. Lyons’s testimony from other proceedings in comparison to information presented by Bluegrass Water in the instant case. As cited to by Scott County, utilities in numerous other Commission proceedings have provided responses to similar requests.⁴⁰ However, the Commission does recognize that it could be burdensome to require Bluegrass Water to print or obtain recordings (to the extent there

³⁶ Scott County’s Motion to Compel at 9.

³⁷ Bluegrass Water’s Response to Scott County’s Motion to Compel at 2.

³⁸ Bluegrass Water’s Response to Scott County’s Motion to Compel at 2.

³⁹ Bluegrass Water’s Response to Scott County’s Motion to Compel at 3.

⁴⁰ Scott County’s Motion to Compel at 3–9.

are no written transcripts) of all of Mr. Lyons's testimony, especially given that Mr. Lyons is a third-party expert with an extensive list of prior testimony in numerous jurisdictions. The Commission further recognizes that obtaining all such testimony could add significant costs to rate case expense for a smaller utility such as Bluegrass Water. Therefore, the Commission finds Scott County's motion with respect to SC 1-18 should be granted in part and denied in part, and that Bluegrass Water should identify the cases in which Mr. Lyons testified about water rates, as opposed to gas or electric rates, and provide any such testimony in Bluegrass Water's or in Mr. Lyons's possession or to which it has access through publicly available websites (though the Commission finds that identifying and providing a valid link to the testimony on a publicly available website should be sufficient to satisfy this requirement).

SC 1-19:

SC 1-19 requested information regarding CSWR, LLC entities that have performed a traditional class cost of service study, including the most recent study for any such entity and the identity of any entity that uses equivalences different than those used in Kentucky.⁴¹ Bluegrass Water's response to SC 1-19 objected to the request as "overly broad, unduly burdensome, and not likely to lead to the production of any relevant evidence as any utilities operating in another jurisdiction are subject to regulation by a different sovereign, with varying rules, regulations and laws that are inapplicable to this proceeding."⁴²

⁴¹ Scott County's First Request, Item 1-19.

⁴² Bluegrass Water's Response to Scott County's First Request, Item 1-19.

Scott County's motion stated that this request is limited to "traditional cost of service" studies submitted in support of an application, and equivalencies that "differ from either or both equivalencies proposed for Kentucky."⁴³ Scott County argued this request is narrowly tailored for the production of evidence directly related to Mr. Lyons's testimony placed into the record by Bluegrass Water and the position taken by Bluegrass Water in the instant case.⁴⁴ Scott County stated that inquiry into other jurisdictions is permissible, particularly when the applicant is proposing something new, novel, or non-traditional.⁴⁵

Bluegrass Water's response stated that, as the testimony of Timothy S. Lyons explains, a traditional class cost of service study requires that demand information be available for all classes of customers.⁴⁶ Bluegrass Water explained that the majority of systems it has acquired are unmetered, and therefore demand information is unavailable for all classes.⁴⁷ Bluegrass Water argued that information regarding utilities in different jurisdictions that do have demand information available is not relevant here, because Bluegrass Water does not have this information.⁴⁸ Bluegrass Water further stated that the information sought regarding customer equivalencies is the equivalency set by the Commission, and any equivalency that may have been ordered by a different utility

⁴³ Scott County's Motion to Compel at 10.

⁴⁴ Scott County's Motion to Compel at 10.

⁴⁵ Scott County's Motion to Compel at 10.

⁴⁶ Bluegrass Water's Response to Scott County's Motion to Compel at 3.

⁴⁷ Bluegrass Water's Response to Scott County's Motion to Compel at 3.

⁴⁸ Bluegrass Water's Response to Scott County's Motion to Compel at 3–4.

commission based upon different facts, class sizes, revenues, and number of customers is not relevant to this proceeding.⁴⁹

The Commission notes that Bluegrass Water, along with all of its affiliated utilities, are managed by CSWR. Further, while the availability of information might limit CSWR's ability to perform cost of service studies or require them to perform differently, the allocation of costs between customers is a major component of establishing rates. Thus, while Bluegrass Water is free to explain different methods were used in different jurisdictions, the positions that CSWR took regarding cost of service in previous cases is relevant for impeachment purposes to the positions it is taking in this case. More importantly, customer equivalences are a factor that Bluegrass Water uses, in part, to allocate expenses between CSWR utilities such that the use of different equivalences is relevant to whether costs are allocated fairly. Thus, the Commission finds that Scott County's request should be granted with respect to SC 1-19, and Bluegrass Water should be compelled to provide the requested information in response to SC 1-19.

SC 1-20 (f) and (g):

SC 1-20 (f) and (g) requested information regarding CSWR, LLC entities that have proposed a rate design that incorporates principles of gradualism and copies of the pertinent section of the application; and for which any regulatory authority has entered a final order in which the principles of gradualism, preventing rate shock, economic development and/or affordability have been incorporated into the rates approved for the entity and copies of the pertinent section of the order.⁵⁰ Bluegrass Water's response to

⁴⁹ Bluegrass Water's Response to Scott County's Motion to Compel at 4.

⁵⁰ Scott County's First Request, Item 1-20 (f) and (g).

SC 1-20 provided the same objection as its response to SC 1-19 above, as overly broad, unduly burdensome, and not likely to lead to the production of any relevant evidence as any utilities operating in another jurisdiction are subject to regulation by a different sovereign, with varying rules, regulations and laws that are inapplicable to this proceeding.⁵¹

Scott County's motion similarly argued this request is also narrowly tailored and permissible, incorporating the same arguments for SC 1-18 and SC 1-19 above.⁵²

Bluegrass Water's Response argued the requested relief seeks information that is irrelevant to this proceeding. Bluegrass Water stated that information regarding different utilities in different jurisdictions based upon different laws, regulations, and rules is not relevant to whether Bluegrass Water has proposed a fair, just and reasonable rate in this proceeding.⁵³

The Commission concludes that the requested information regarding the parent entities' rate design is relevant to the extent there may be differing opinions proffered in this case. The parties to this proceeding should have the ability to determine any differences to the information regarding affiliated utilities' rate design in comparison to the proposal presented by Bluegrass Water in this proceeding. The Commission accordingly finds that Scott County's request should be granted, and Bluegrass Water should be compelled to provide information in response to SC 1-20 (f) and (g).

⁵¹ Bluegrass Water's Response to Scott County's First Request, Item 1-20 (f) and (g).

⁵² Scott County's Motion to Compel at 14.

⁵³ Bluegrass Water's Response to Scott County's Motion to Compel at 4.

Amendment to Procedural Schedule

The Commission notes that the Attorney General requested four additional days to file additional supplement requests for information after Bluegrass Water provides the information for which it filed a motion to compel. The Commission agrees that it is appropriate allow intervenors the opportunity to ask follow-up questions regarding Bluegrass Water's supplemental responses, because intervenors would have had the ability to ask supplemental requests if Bluegrass Water had responded when intervenors initially proposed the questions. However, neither the Attorney General nor Scott County requested that other deadlines in the procedural schedule be extended, and given the tight deadlines in this case, the Commission will not extend them now on its own motion. Rather, the Commission finds that it would be appropriate to add another round of requests for information to be served on Bluegrass Water outside of the current procedural schedule without modifying any other dates therein.⁵⁴

IT IS THEREFORE ORDERED that:

1. The Attorney General's motion to compel is granted.
2. Bluegrass Water shall file and serve, pursuant to 807 KAR 5:001, Section 4(12)(d)6, the information and documents requested in AG 1-6, AG 1-46, and AG 1-61, including the detailed information and documents requested in AG 1-6 and AG 1-46, as discussed above, within seven days from the date of service of this Order.

⁵⁴ Nothing in this Order should be construed as altering the requirement in the Commission's April 14, 2023 Order requiring Bluegrass Water to respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests.

3. Scott County's motion to compel is granted with respect to SC 1-19 and SC 1-20 (f) and (g).

4. Bluegrass Water shall file and serve, pursuant to 807 KAR 5:001, Section 4(12)(d)6, the information and documents requested in SC 1-19 and SC 1-20 (f) and (g) within seven days from the date of service this Order.

5. Scott County's motion to compel is granted in part and denied in part with respect to SC 1-18.

6. Within seven days from the date of service of this Order, Bluegrass Water shall file and serve, pursuant to 807 KAR 5:001, Section 4(12)(d)6, a supplement response to SC 1-18 that identifies the cases in which Mr. Lyons testified about water rates, as opposed to gas or electric rates, and provide any such testimony in Bluegrass Water's or Mr. Lyons's possession, or to which they have access through publicly available websites (though identifying and providing a valid link to the testimony on a publicly available website shall be sufficient to satisfy this requirement).

7. Second supplemental requests for information to Bluegrass Water shall be filed within 14 days from the date of service of this Order.

8. Bluegrass Water shall file responses to second supplemental requests for information within 28 days from the date of service of this Order.

9. All provisions of the Commission's April 14, 2023 and May 19, 2023 procedural Orders not in conflict with the provisions of this Order or previously amended shall remain in effect.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ENTERED
JUN 29 2023
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KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

*Angela M Goad
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Honorable John E Selent
Attorney at Law
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202

*Sarah D. Reddick
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202

*Aaron Silas
Central States Water Resources
1650 Des Peres Road
Suite 303
St. Louis, MISSOURI 63131

*Honorable Kerry E Ingle
Attorney at Law
Dinsmore & Shohl, LLP
1400 PNC Plaza
500 West Jefferson Street
Louisville, KENTUCKY 40202

*Edward T Depp
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202

*R. Brooks Herrick
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202

*Lawrence W Cook
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Cameron R Culbertson
Scott County Attorney
198 E. Washington St.
Georgetown, KENTUCKY 40324

*Bluegrass Water Utility Operating Company, LLC
1630 Des Peres Road, Suite 140
St. Louis, MO 63131

*Honorable David Edward Spenard
Strobo Barkley PLLC
239 South 5th Street
Ste 917
Louisville, KENTUCKY 40202

*Michael West
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Dave Woodsmall
Central States Water Resources
1650 Des Peres Road
Suite 303
St. Louis, MISSOURI 63131

*Russ Mitten
Central States Water Resources
1650 Des Peres Road
Suite 303
St. Louis, MISSOURI 63131

*John Horne
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Randal A. Strobo
Strobo Barkley PLLC
239 South 5th Street
Ste 917
Louisville, KENTUCKY 40202