

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

ORDER

A hearing in the above-styled matter was held on September 19, 2023, through September 20, 2023. At the conclusion of the witness testimony, a procedural schedule was established that provided for post-hearing requests for information and briefing.

From the bench on September 19, 2023, the Commission granted Scott County, Kentucky's (Scott County) motion for a date certain for certain witnesses. In the motion, which was filed on September 18, 2023, Scott County requested that five of the eight witnesses, including the Scott County Judge/Executive Jo Pat Covington (Judge/Executive) and Magistrates Kelly Corman, Rob Jones, David Livingston, and Chad Wallace be granted a date to appear for cross-examination on Friday, September 22, 2023.¹ Scott County further stated that two of the Magistrates, Dwayne Ellison and Ryan Pratt, had out-of-state work-related events and Magistrate Rick Hostetler has a family member with a serious illness; therefore, Scott County requested these three witnesses appear out-of-turn on Wednesday, September 20, 2023.² With no party or Commission Staff objecting, the Commission concluded that there was good

¹ Scott County's Motion for a Date Certain (filed Sept. 18, 2023).

² Scott County's Motion for a Date Certain.

cause to grant a date certain of Wednesday, September 20, 2023, for Magistrates Dwayne Ellison, Ryan Pratt, and Rick Hostetler to appear at the hearing, and to grant a date certain of Friday, September 22, 2023, for Magistrates Kelly Corman, Rob Jones, David Livingston, and Chad Wallace, as well as the Judge/Executive to appear at the hearing. Subsequently, counsel for Bluegrass Water conferred with all parties and waived its right to cross-examine all Magistrates, and requested the Judge/Executive still appear at the hearing. Scott County verbally renewed its initial motion that was filed into the record on September 6, 2023,³ to excuse the Magistrates from the hearing. With no party or Commission Staff objecting, the Commission concluded that there was good cause to excuse all Magistrates.

On September 20, 2023, the parties again conferred and Bluegrass Water waived its right to cross-examine the Judge/Executive. Scott County renewed its motion to excuse the Judge/Executive,⁴ and with no party or Commission Staff objecting, the Commission concluded that there was good cause to excuse the Judge/Executive.

IT IS THEREFORE ORDERED that:

1. Scott County's motion for a date certain is granted.
2. Scott County's motion to excuse certain witnesses is granted.
3. Post-hearing requests for information, if any, shall be filed on or before September 22, 2023.
4. Responses to post-hearing requests for information shall be filed on or before October 6, 2023.

³ Scott County's Motion to Excuse Certain Witnesses (filed Sept. 6, 2023).

⁴ Scott County's Motion to Excuse Certain Witnesses.

5. All parties that choose to do so may file a memorandum brief in support of their respective post-hearing positions on or before October 27, 2023.

6. All parties that choose to do so may file a reply brief, responding to issues raised in other parties' respective briefs, on or before November 10, 2023.

7. This case shall stand submitted for a decision by the Commission effective 12:01 a.m. Eastern Standard Time, November 11, 2023.

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PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ENTERED
SEP 22 2023 rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

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