

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF MUHLENBERG	)	
COUNTY WATER DISTRICT #3 OF A WATER	)	CASE NO.
PURCHASE AGREEMENT WITH THE CITY OF	)	2023-00366
SACRAMENTO	)	

ORDER

On January 17, 2024, Muhlenberg County Water District #3 (Muhlenberg District #3) filed a motion seeking to withdraw tariff filing TFS2023-00491, which was filed in this case on November 13, 2023, and to dismiss this action as moot.

DISCUSSIONS AND FINDINGS

This case was initiated by Order of the Commission on November 22, 2023, to investigate the reasonableness of the proposed tariff. The tariff was a Water Purchase Agreement between Muhlenberg District #3 and the city of Sacramento.

In its motion to withdraw and dismiss, Muhlenberg County District #3 stated that since filing the tariff it has filed an application for an alternative rate filing (ARF).<sup>1</sup> Muhlenberg District #3 stated it seeks to withdraw the tariff enabling it to refile an amended Water Purchase Agreement following the conclusion of the ARF incorporating the new wholesale water rate into a future amended Water Purchase Agreement to be filed with the Commission.<sup>2</sup> Muhlenberg District #3 argued that if it is permitted to

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<sup>1</sup> Case No. 2023-00400, *Electronic Application of Muhlenberg County Water District #3 for an Alternative Rate Adjustment Pursuant to 807 KAR 5:076* (filed Dec. 12, 2023), Application.

<sup>2</sup> Muhlenberg District #3's Motion to Withdraw Tariff Filing and to Dismiss Investigative Proceeding (Motion to Withdraw) (filed Jan. 17, 2024) at 3 to 4.

withdraw the tariff filing, the investigation should be dismissed as moot. Muhlenberg District #3 stated that granting its motion will promote efficiency and preserve Commission resources.<sup>3</sup> Muhlenberg District #3 argued that if it is not permitted to withdraw the tariff, the wholesale rate for the Water Purchase Agreement will quickly become outdated as Muhlenberg District #3 wishes to charge the city of Sacramento the wholesale water rate that it proposed in the ARF application.

Having considered the motion and being otherwise sufficiently advised, the Commission finds that there is good cause to grant Muhlenberg District #3's motion to withdraw the filed tariff and dismiss this action as moot.

IT IS HEREBY ORDERED that:

1. Muhlenberg District #3's January 17, 2024 motion to withdraw its tariff filing TFS2023-00491 is granted.
2. This action is dismissed as moot.
3. This case is closed and removed from the Commission's docket.

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<sup>3</sup> Motion to Withdraw (filed on Jan. 17, 2024) at 4.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ENTERED  
FEB 15 2024 bsb  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
Executive Director

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