

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF ESTILL)	CASE NO.
COUNTY WATER DISTRICT NO. 1 FOR A RATE)	2023-00371
ADJUSTMENT PURSUANT TO 807 KAR 5:076)	

ORDER

On December 15, 2023,¹ Estill County Water District #1 (Estill District #1) filed an application with the Commission, pursuant to 807 KAR 5:076, requesting an adjustment to its water rates.² The Commission established a procedural schedule by Order dated December 22, 2023, that, among other things, requires Commission Staff to file with the Commission and serve upon all parties of record a written report (Commission’s Staff Report) containing its findings and recommendations regarding Estill District #1’s requested water rate adjustment, no later than April 26, 2024.

Due to numerous Commission Staff scheduling conflicts, as well as the need for a supplemental data request, the Commission, on its own motion, finds that the procedural schedule established on December 22, 2023, should be amended to afford Commission Staff additional time to prepare and file the Commission Staff’s Report. Specifically, the

¹ Estill District #1 tendered its application on December 1, 2023. By letter dated December 6, 2023, the Commission rejected the application for filing deficiencies. The deficiencies were subsequently cured, and the application is deemed filed as of December 15, 2023.

² Pursuant to 807 KAR 5:076, Section 7(2), if the Commission has not issued an order after six months from the date an alternative rate filing application is deemed filed, the utility may place the proposed rates into effect, subject to refund, pending the Commission’s order upon filing written notice with the Commission of its intent to do so. Otherwise, an applicant using the alternative rate filing procedure may not place the proposed rates into effect until the Commission has issued an order approving the rates. 807 KAR 5:076, Section 7(1).

Commission finds that the date for filing the Commission Staff's Report should be extended to May 17, 2024.

After Commission Staff's Report is filed on or before the amended deadline of May 17, 2024, Estill District #1 will have 14 days to file a written response to Commission Staff's Report.³ If Estill District #1 does not file written objections to a finding contained in Commission Staff's Report within 14 days after the date of the filing of Commission Staff's Report, it shall be deemed a waiver of all objections to that finding.⁴

IT IS THEREFORE ORDERED that:

1. The procedural schedule established on December 22, 2023, is amended.
2. Estill District #1 shall respond on or before May 3, 2024, to the request for information attached as an Appendix to this Order.
3. Commission Staff's Report shall be filed no later than May 17, 2024.
4. Estill District #1 shall file its written response, if any, to Commission Staff's Report within 14 days of the filing of the Commission Staff's Report.
5. All provisions of the Commission's December 22, 2023 Order that are in conflict with the provisions of this Order are vacated, and all other provisions not in conflict with the provisions of this Order shall remain in effect.

³ 807 KAR 5:076, Section 11(3)(a).

⁴ 807 KAR 5:076, Section 11(3)(c).

PUBLIC SERVICE COMMISSION



Chairman



Vice Chairman



Commissioner

ENTERED
APR 25 2024 bsb
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2023-00371 DATED APR 25 2024

COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO ESTILL COUNTY WATER DISTRICT #1

Estill County Water District #1 (Estill District #1), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on or before May 3, 2024. The Commission directs Estill District #1 to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Estill District #1 shall make timely amendment to any prior response if Estill District #1 obtains information that indicates the response was incorrect or incomplete when

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

made or, though correct or complete when made, is now incorrect or incomplete in any material respect.

For any request to which Estill District #1 fails or refuses to furnish all or part of the requested information, Estill District #1 shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied and scanned material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, Estill District #1 shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to Application, Attachment #8, "Book Asset Detail 1/01/22 – 12/31/22" at unnumbered pages 35 and 36 of 180.² Also refer to Case No. 2019-00119, Verified Motion for Authorization to Expend Surcharge Proceeds and to Continue Billing

² Case No. 2023-00371, *Electronic Application of Estill County Water District No. 1 for a Rate Adjustment Pursuant to 807 KAR 5:076* (filed Dec. 1, 2023), Application at unnumbered 35-36.

Surcharge, Item 14³ as well as to Case Nos. 2021-00064⁴ and 2021-00207⁵. The motion in Case No. 2019-00119⁶ states that projects approved in Case Nos. 2021-00064 and 2021-00207 were completed as of May 19, 2023.

a. For Case Nos. 2021-00064 and 2021-00207, the Post-Construction Compliance Filing – CPCN stated that total capitalized costs equaled \$2,766,712.18.⁷ Provide an updated asset listing as of December 31, 2023, and designate each of the items that make up the \$2,766,712.18 inclusive of an in-service date and National Association Regulatory Utility Commissioners depreciation life for each item.

b. Provide a summary table that shows the change in asset cost and depreciation beginning with the application amounts to the revised amounts in the following format.

³ See Case No. 2019-00119, *Electronic Application of Estill County Water District No. 1 for a Surcharge to Finance Water Loss Control Efforts* (filed Aug. 31, 2023), Verified Motion for Authorization to Expend Surcharge Proceeds and to Continue Billing Surcharge, Item 14.

⁴ See Case No. 2021-00064, *Electronic Application of Estill County Water District No. 1 for Authorization to Enter into an Assistance Agreement with the Kentucky Infrastructure Authority, for a Certificate of Public Convenience to Construct Certain Water Improvements and Authorization to Use Water Loss Control Program Surcharge Proceeds* (Ky. PSC Apr. 8, 2021), Order at 7.

⁵ See Case No. 2021-00207, *Electronic Application of Estill County Water District No. 1 for a Certificate of Public Convenience and Necessity for the Purchase and Installation of Metering Equipment and Authorization to Use Loan Proceeds for Proposed Purchase* (Ky. PSC July 2, 2021), Order at 4.

⁶ See Case No. 2019-00119, *Electronic Application of Estill County Water District No. 1 for a Surcharge to Finance Water Loss Control Efforts* (filed Aug. 31, 2023), Verified Motion for Authorization to Expend Surcharge Proceeds and to Continue Billing Surcharge, Item 14.

⁷ See Case No. 2021-00064, *Electronic Application of Estill County Water District No. 1 for Authorization to Enter into an Assistance Agreement with the Kentucky Infrastructure Authority, for a Certificate of Public Convenience to Construct Certain Water Improvements and Authorization to Use Water Loss Control Program Surcharge Proceeds* (Ky. PSC Apr. 8, 2021), Post Case Correspondence, Post Construction Compliance Filing – CPCN.

Description	Cost	Depreciation
Application Depreciation	18,222,107.86	279,693
Additions Case No's 2021-00064, 2021-00207	2,776,712.09	
Other Additions		
Total		

- c. Provide explanatory comments for each addition.

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