

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF EAST CASEY	)	
COUNTY WATER DISTRICT TO REVISE THE	)	CASE NO.
CUSTOMER BILL DUE DATE AND ADD	)	2025-00155
CREDIT/DEBIT CARD PAYMENT LANGUAGE TO	)	
ITS TARIFF	)	

O R D E R

On May 1, 2025, East Casey County Water District (East Casey District) filed a tariff to revise customer bill due dates and to add language to its tariff pertaining to debit/credit card payments. East Casey District proposed an effective date of June 1, 2025. East Casey District responded to one request for information by Commission Staff. East Casey District's response is included as Appendix B to this Order. The Commission also received one public comment pertaining to this filing. That public comment is included as Appendix C to this Order.

East Casey District's current tariff on file with the Commission requires that customer payments be received before the close of business on the twentieth day from the date of issue.<sup>1</sup> The proposed revision would require that customer payments be received before the close of business on the tenth day from the date of issuance of the bill.<sup>2</sup> East Casey District indicated that its actual, current practice requires customer

<sup>1</sup> PSC KY NO. 1, Original Sheet No. 13.

<sup>2</sup> PSC KY NO. 1, 1<sup>st</sup> Revised Sheet No. 13, Cancelling PSC KY NO. 1, Original Sheet No. 13.

payments to be received before the close of business on the tenth day from the date the bill was issued.<sup>3</sup>

East Casey District also proposed to add language to its tariff pertaining to credit/debit card payments. The proposed provision indicates that credit card payments are subject to a convenience fee that will be charged directly to the customer from the credit card processor, and the customer will be informed of the fee amount prior to processing the transaction.<sup>4</sup>

KRS 278.030 provides that a utility may collect fair, just and reasonable rates and that the service it provides must be adequate, efficient and reasonable. KRS 278.160(2) provides that “No utility shall charge, demand, collect, or receive from any person a greater or less compensation for any service rendered or to be rendered than that prescribed in its filed schedules, and no person shall receive any service from any utility for a compensation greater or less than that prescribed in such schedules.”

Having reviewed the proposed tariff and being otherwise sufficiently advised, the Commission finds that the proposed credit/debit card payment provision should be accepted. The proposed language is standard in other utility tariffs where the convenience fee is charged directly to the customer from the credit card processor. The Commission also finds that an investigation is necessary to determine the reasonableness of the proposed change to the bill due date, and that such investigation cannot be completed by June 1, 2025. Pursuant to KRS 278.190(2), the Commission

<sup>3</sup> Appendix B to this Order.

<sup>4</sup> PSC KY NO. 1, 1<sup>st</sup> Revised Sheet No. 13, Cancelling PSC KY NO. 1, Original Sheet No. 13.

will, therefore, suspend the effective date of the proposed change to the bill due date for five months, up to and including October 31, 2025.

Pursuant to its data request response, East Casey District's current practice appears to require that customer payments be received before the close of business on the tenth day from the date of issue. Accordingly, East Casey District appears to be violating its approved tariff on file with the Commission, which states that customer payments must be received before the close of business on the twentieth date from the date of issue. Therefore, during the pendency of this proceeding, the Commission finds that East Casey District should follow the provisions of its approved tariff on file with the Commission in its entirety but particularly regarding the customer payment due date.

The Commission directs East Casey District to the Commission's July 22, 2021 Order in Case No. 2020-00085<sup>5</sup> in which the Commission mandated the use of electronic filing procedures listed in 807 KAR 5:001, Section 8. Consistent with the filing procedures set forth in Case No. 2020-00085, the Commission finds that electronic filing procedures should be used.

The Commission further finds that a procedural schedule should be established to review the reasonableness of the proposed tariff. The procedural schedule is attached as Appendix A to this Order.

Additionally, any hearing scheduled in this matter shall be held on the designated day or days and continued until called from the bench by the presiding officer. Pursuant

<sup>5</sup> 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).

to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing may be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing. Hearings are held in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. Witnesses who sponsor schedules, testimony, or responses to requests for information are expected to participate in person at a hearing.

IT IS THEREFORE ORDERED that:

1. This proceeding is established to investigate the reasonableness of the proposed tariff.
2. East Casey District's proposed credit/debit card payment provision is approved for service rendered on and after June 1, 2025.
3. East Casey District's proposed change to the customer bill due date is suspended for five months from June 1, 2025, up to and including October 31, 2025.
4. Within 20 days of the date of service of this Order, East Casey District shall file a revised tariff sheet reflecting the Commission's approval of the credit/debit card payment provision and reflecting its effective date and that it was authorized by this Order.
5. East Casey District shall, by counsel, enter an appearance in this proceeding within seven days of the date of service of this Order. The entry of appearance shall include the name, address, telephone number, fax number, and electronic mail address of counsel.

6. Unless otherwise ordered by the Commission, the procedures set forth in 807 KAR 5:001, Section 8, related to service and electronic filing of papers shall be followed in this proceeding.

7. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of the date of service of this Order, East Casey District shall file by electronic means a written statement that it waives any right to service of Commission Orders by United States mail and that it or its authorized agent possess the facilities to receive electronic submissions.

8. Unless a party granted leave to intervene states its objection to the use of electronic filing procedures in a motion for intervention, the party shall:

a. Be deemed to have consented to the use of electronic filing procedures and the service of all papers, including Orders of the Commission, by electronic means; and

b. Within seven days of the date of service of an order of the Commission granting intervention, file with the Commission a written statement that:

(1) It or its authorized agent possesses the facilities to receive electronic transmissions; and

(2) Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding shall be served.

9. If a party objects to the use of electronic filing procedures and the Commission determines that good cause exists to excuse that party from the use of electronic filing procedures, service of documents on that party and by that party shall be made in accordance with 807 KAR 5:001, Section 4(8).

10. The procedural schedule set forth in Appendix A to this Order shall be followed.

11. East Casey District shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests.

12. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding, which is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service consumed by the movant or a general statement regarding the potential impact of possible modification of rates will not be deemed sufficient to establish a special interest.

13. Any motion to intervene after the date established in the procedural schedule shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

14. East Casey District shall give notice of the hearing in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2). In addition, the notice of the hearing shall include the following statements: "This hearing will be streamed live and may be

viewed on the PSC website, [psc.ky.gov](http://psc.ky.gov)” and “Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, [psc.ky.gov](http://psc.ky.gov).” At the time publication is requested, East Casey District shall forward a duplicate of the notice and request to the Commission.

15. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

16. Any hearing scheduled in this matter shall be held on the designated day or days and continued until called from the bench by the presiding officer. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing shall be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing.

17. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at any hearing scheduled in this matter.

18. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

19. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of times with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

20. The Commission does not look favorably upon motions to substitute witnesses or excuse witnesses from testifying at Commission hearings. Accordingly, motions to substitute witnesses or excuse a witness from testifying at a Commission

hearing or from testifying in person at a Commission hearing shall be made in writing at least 14 days prior to the hearing and will be granted only upon a showing of good cause.

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PUBLIC SERVICE COMMISSION

Chairman



Vice Chairman

Commissioner



ATTEST:

  
Executive Director



APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2025-00155 DATED MAY 29 2025

Requests for intervention shall be filed no later than ..... 06/09/2025

Initial requests for information to East Casey District  
shall be filed no later than ..... 06/23/2025

East Casey District shall file responses to  
initial requests for information no later than ..... 07/07/2025

All supplemental requests for information to East Casey District  
shall be filed no later than ..... 07/21/2025

East Casey District shall file responses to supplemental requests  
for information no later than ..... 08/04/2025

Intervenor testimony, if any, in verified prepared  
form shall be filed no later than .... 08/11/2025

All requests for information to Intervenors shall  
be filed no later than ..... 08/25/2025

Intervenors shall file responses to requests for  
information no later than ..... 09/08/2025

East Casey District shall file, in verified form, its rebuttal  
testimony no later than ..... 09/15/2025

East Casey District or any Intervenor shall request either a  
hearing or that the case be submitted for decision  
based on the record no later than ..... 09/22/2025

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2025-00155 DATED MAY 29 2025

ONE PAGE TO FOLLOW

## Rogness, Benjamin (PSC)

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**From:** Brendan R. Welch  
**Sent:** Thursday, May 8, 2025 2:49 PM  
**To:** Hinton, Daniel E (PSC)  
**Cc:** Rogness, Benjamin (PSC)  
**Subject:** RE: KY-PSC Electronic Filing Center NotificationTFS2025-00196

**This Message Originated from Outside the Organization**

This Message Is From an External Sender.

[Report Suspicious](#)

Daniel,

From what they have told me, the 10<sup>th</sup> day from date of issue has been how they have always operated. The only thing I can think of is there must've been an oversight when their original tariff was filed, but that was filed well before my time.

Thanks,



**Brendan Welch, PE**  
Associate  
770 Wilkinson Boulevard | Frankfort, KY 40601  
Office (502) 695-4357 |  
*Celebrating 50 Years! (1975-2025)*

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**From:** Hinton, Daniel E (PSC) <dehinton@ky.gov>  
**Sent:** Wednesday, May 7, 2025 2:52 PM  
**To:** Brendan R. Welch  
**Cc:** Rogness, Benjamin (PSC) <benjamin.rogness@ky.gov>  
**Subject:** RE: KY-PSC Electronic Filing Center NotificationTFS2025-00196

Brendan,

What was East Casey's rationale for changing the bill due date from the 20<sup>th</sup> day from the day of issue to the 10<sup>th</sup> day from the day of issue?

Thanks.

Daniel

APPENDIX C

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2025-00155 DATED MAY 29 2025

TWO PAGES TO FOLLOW

**RECEIVED**

**MAY 14 2025**

Dear Public Service Commission,

**PUBLIC SERVICE  
COMMISSION**

**5/10/2025**

This is in response to the Tariff Adjustment notice posted in the Casey County News proposed by the East Casey County Water District pursuant to 807 KAR 5 011-Tariffs.

This adjustment is in regards to the payment received date before which a customer would incur a late payment penalty. According to the posting the tariff currently states: Payment must be received, not postmarked, before close of business on the twentieth day from the date of issue. The proposed language would change the twentieth to the tenth. We believe this adjustment to be unfair and not equitable to the service customers.

We are currently customers in good standing with the East Casey County Water District and we would be adversely affected by this change.

This change of due date is unreasonable as the bills often aren't received with enough time to return payment to the water district's office by the due date. Attached is a copy of our most recent bill with a date stamp showing the bill in the United States Postal Service system in Nashville, Tennessee on May 3, 2025. We received it on May 6, 2025. Given the routing of the postal service, it is highly unlikely that it would be received and processed by the water district on the ninth. Although the due date is the tenth which falls on a Saturday, to not incur a late penalty under the proposed tariff adjustment, it would need to be received and processed on the ninth. Neither us, the customer, nor East Casey County Water District can control the timing of the USPS. Often the mail is further delayed during inclement weather as this is a very rural area.

A great portion of the East Casey County service area is rural. In this demographic most customers pay with cash or check as credit cards and debit cards aren't widely utilized. The option to process payments using these cards places an additional fee on the payer which is the main reason they aren't used locally.

We aren't provided a reason for the proposed change. The bills show this proposal to be effective currently. We have rarely, if ever, paid our bill late and haven't incurred a late penalty. Is this an attempt by the water district to generate additional revenue? We believe it to be fair and equitable for the East Casey County Water District to provide reasoning for the adjustment as well as a survey of the service customers regarding its effects rather than simply adjusting the process. Without those considerations, we would prefer that the twentieth day from the date of issue remain in force until a more reasonable method of billing notification is utilized.

Thank you for your time and consideration.

Julie and Morgan Wertman

EAST CASEY COUNTY WATER DIST.  
PO BOX 56  
LIBERTY KY 42539

NASHVILLE TN 370

FIRST CLASS MAIL  
U.S. POSTAGE PAID

LIBERTY KY 01

ACCOUNT  
SERVICE AT  
DATES

04/28/25  
0255414L  
5 THRU 04/02/25

Presorted First-Class



SVC.	PREVIOUS	CURRENT	USAGE	CODE
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WTR	250900	252400	1500	
WATER			23.24	
SCH TAX			.70	

BILL DATE  
NET BILL

04/28/25  
23.94

GROSS BILL  
DUE AFTER

26.26  
05/10/25

RETURN SERVICE REQUESTED

606-787-9961

GROSS  
DUE  
AFTER

26.26  
05/10/25

NET  
DUE  
NOW

23.94

JULIE WERTMAN



\*Andy Greynolds  
General Manager  
East Casey County Water District  
P. O. Box 56  
Liberty, KY 42539

\*East Casey County Water District  
690 S Wallace Wilkinson Blvd  
P. O. Box 56  
Liberty, KY 42539

\*Brenden R. Welch  
P.E.  
Kenvirons, Inc.  
452 Versailles Road  
Frankfort, KY 40602