

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF HENRY	)	
COUNTY WATER DISTRICT #2 FOR APPROVAL	)	CASE NO.
OF A WATER SUPPLY AGREEMENT WITH	)	2025-00225
SUNANZA, INC.	)	

ORDER

This matter arises upon the motion of the Sunanza, Inc. (Sunanza), filed July 9, 2025, for full intervention. As a basis for its motion, Sunanza stated that it has a special interest in this proceeding that is not otherwise adequately represented because Sunanza is the counterparty to the agreement that is the subject of the Commission's opening Order in this matter.<sup>1</sup>

LEGAL STANDARD

The Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General), has the statutory right to intervene in Commission cases pursuant to KRS 367.150(8)(b). With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.<sup>2</sup>

The regulatory standard for permissive intervention, set forth in 807 KAR 5:001, Section 4, is twofold. Commission regulation 807 KAR 5:001, Section 4(11), requires a person to set forth in the motion to intervene either (1) a special interest in the proceeding

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<sup>1</sup> Sunanza, Inc.'s Motion to Intervene (filed July 9, 2025), at 2.

<sup>2</sup> KRS 164.2807.

that is not otherwise adequately represented in the case, or (2) that 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.

### DISCUSSION AND FINDINGS

Based on a review of the pleadings at issue and being otherwise sufficient advised, the Commission finds that Sunanza has demonstrated that it has a special interest in the proceeding over which the Commission has jurisdiction that is not otherwise adequately represented for the reasons discussed below.

Sunanza and Henry County Water District #2 (Henry District #2) are the parties to the contract that is the subject of the Commission's investigation in this matter. Unlike Henry District #2, Sunanza is not a utility and therefore, has interests in the outcome of this matter that are unique to itself. Furthermore, Henry District #2 participation in this matter would likely not adequately represent the unique interests of Sunanza. In accordance with 807 KAR 5:001, Section 4(11), only one prong of the standard for permissive needs to be satisfied for the Commission to grant permissive intervention.

Accordingly, the Commission finds that Sunanza should be granted full rights of a party in this proceeding. The Commission directs Sunanza to the Commission's July 22, 2021 Order in Case No. 2020-00085<sup>3</sup> regarding filings with the Commission.

IT IS HEREBY ORDERED that:

1. Sunanza's motion to intervene is granted.

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<sup>3</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).

2. Sunanza is entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.

3. Sunanza shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents.


4. Sunanza shall adhere to the procedural schedule set forth in the Commission's July 1, 2025 Order and as amended by subsequent Orders.

5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, Sunanza shall file a written statement with the Commission that:

a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and

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

PUBLIC SERVICE COMMISSION

  
Chairman

  
Commissioner

  
Commissioner

ATTEST:

  
Executive Director



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