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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of December 20, 2024***2012-00133**

RECEIVED: 04/16/12

FILED: 05/16/12

FINAL: 08/13/12

REOPENED:

SUSPENSION DATE:

**CASE CODE**

Electronic Case

Transfer of Control; KRS 278.218

**UTILITIES:**

Water Service Corporation of Kentucky

INTERVENORS: AG - Hans/AG-Napier/AG-

**HEARINGS:**

08/02/12 Formal Hearing

07/12/12 Informal Conference

**INDEX OF EVENTS:**

- 11/29/21 Order Entered: 1. The motion of Water Service Kentucky to host its December 2021 public meeting virtually is granted.
- 11/05/21 POST CASE: M Todd Osterloh Water Service Corporation of Kentucky Motion for Approval of Format of Public Meeting
- 12/22/20 Order Entered: 1. The motion of Water Service Kentucky for waiver of the condition that it host a public meeting in the city of Clinton, Kentucky, and the city of Middlesboro, Kentucky, in 2020 is granted.
- 12/14/20 POST CASE: M Todd Osterloh Water Service Corporation of Kentucky Motion for Waiver
- 10/29/18 POST CASE: Water Service Corporation of Kentucky Letter Requesting Meeting
- 04/25/13 Order Entered: (1) Petitioners' motion for confidential protection is hereby granted. (2) The materials for which Petitioners seek confidential treatment shall not be placed in the public record nor made available for public inspection until further Order of the Commission. (3) Petitioners shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment. (4) If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order, the Petitioners shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Petitioners are unable to make such demonstration, the requested materials shall be made available for inspection.
- 04/25/13 Order Entered: (1) Petitioners' petition for confidential protection is granted in part and denied in part. (2) The materials submitted in response to AG Supplemental Requests 2-4, 2-5, 2-6, and 2-12(i) are granted confidential treatment and shall not be placed in the public record nor made available for public inspection until further Order of the Commission. (3) The materials submitted in response to AG Supplemental Requests 2-4, 2-5, 2-6, and 2-12(i) are granted confidential treatment and shall not be placed in the public record nor made available for public inspection until further Order of the Commission. (4) If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order, the Petitioners shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Petitioners are unable to make such demonstration, the requested materials shall be made available for inspection. (5) Petitioners' petition for confidential protection for the materials in response to AG Supplemental Request 2-12(ii) is denied. (6) The materials in Item 2-12(ii) of Petitioners' Response to AG Supplement Request for Information shall not be placed in the public record for 23 days following the date of this Order to allow Petitioners to seek any remedy afforded by law.
- 12/26/12 M. Todd Osterloh Notice that the parties closed the transaction on December 18, 2012
- 12/13/12 POST CASE: Joint Applicants Final Orders from North Carolina Utilities Commission and Pennsylvania Public Utility Commission
- 12/05/12 M. Todd Osterloh Electronic filing of the Illinois Commerce Commission's final order in Docket No. 12-0279 as required to be filed by Public Service Commission Order dated August 13, 2012
- 10/19/12 M. Todd Osterloh Orders Approving the Transfer from Virginia and Florida
- 09/19/12 POST CASE: M. Todd Osterloh New Jersey Board of Public Utilities final order
- 09/12/12 POST CASE: M. Todd Osterloh Public Utilities Commission of Nevada's Final Order
- 08/20/12 Order Entered: (1) Conclusion of Law paragraph 10 of the Order of August 13, 2012 is amended to read: Provided that the proposed acquisition and transfer are conditioned upon the terms set forth in

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ordering paragraphs 2 through 26 of this Order, the proposed acquisition and transfer are consistent with the public interest. (2) Ordering paragraph 1 of the Order of August 13, 2012 is amended to read: Subject to the conditions set forth in ordering paragraphs 2 through 26 of this Order, the transfer of control of Water Service Corporation from Hydro Star to Corix Utilities and Corix Infrastructure through Corix Utilities' acquisition of ownership and control of Hydro Star is approved. (3) All other provisions of the Order of August 13, 2012 remain unchanged and shall continue in full force and effect.

08/20/12 POST CASE: M. Todd Osterloh Applicants Written Response Accepting Commitments Set Forth in Commission Order

08/16/12 POST CASE: Attorney General Response to Commission Staff Request by Electronic Mail Message

08/13/12 Final Order Entered: 1) Subject to conditions in ordering paragraphs 2 - 27 the transfer of control of Water Service Corporation from Hydro Star to Corix Utilities and Corix Infrastructure through Corix Utilities' acquisition of ownership and control of Hydro Star is approved. 2) The chief executive officer shall file within seven days a written acknowledgment that entity accepts and agrees to be bound by commitments in Appendix. 3) Joint Applicants shall file copy of final decision or order or other forms of regulatory notification regarding proposed transaction issued by each state regulatory authority with jurisdiction within 14 days of issuance of order or notification. 4) Corix Utilities, Utilities, Inc., and Water Service Corporation shall adequately fund, construct, operate, and maintain Water Service Corporation's treatment, transmission, and distribution systems; comply with all applicable Kentucky statutes and administrative regulations; and supply the needs of Water Service Corporation's customers. 5) For 72 months from the date of the proposed transaction, Water Service Corporation shall provide a written report if Water Service Corporation is found in violation of any Federal or state water quality law by any court or administrative agency or is issued a Notice of Violation by the Kentucky Division of Water ("KDOW) for any alleged violation of any law or administrative regulation that KDOW administers or enforces.

08/13/12 Memorandum dated 8/13/2012 for Informal Conference of 7/12/2012; Comments, if any, due within five days of receipt

08/07/12 Notice of Filing Hearing Documents

08/06/12 M. Todd Osterloh Applicants Post-hearing Response

08/01/12 M. Todd Osterloh Approval by the Louisiana Public Service Commission

07/31/12 M. Todd Osterloh Affidavit Verifying Publication of Hearing Notice

07/30/12 Order Entered: (1) The Joint Motion to Submit Case For Consideration Without Hearing is denied. (2) The parties shall be prepared at the scheduled hearing to discuss and explain their proposed conditions for Commission approval of the transfer of control and address general questions regarding the proposed transfer of control. In lieu of witness testimony at the scheduled hearing, the parties may present such discussion and explanation through their counsel.

07/26/12 M. Todd Osterloh Joint Motion to Submit Case for Consideration without Hearing

07/19/12 M. Todd Osterloh Joint Applicants Witness List

07/19/12 David Spenard AGs written notice regarding witnesses

07/10/12 M. Todd Osterloh Petition for Confidentiality

07/10/12 Todd Osterloh Applicants Responses to Commission Staffs Second Set of Information Requests

07/10/12 M. Todd Osterloh Applicants Responses to the Attorney Generals Supplemental Information Request

07/06/12 Commission Staff's Notice Regarding Second Request for Information to Joint Applicants

07/05/12 Order Entered:  
 1. A hearing in this matter for the purpose of considering the Joint Applicants' application for approval of the proposed transfer of control of Water Service Corporation of Kentucky shall begin at 10:00 a.m., Eastern Daylight Time, on August 2, 2012 at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.  
 2. The procedural schedule set forth in the Appendix to our Order of June 13, 2012, is vacated and replaced with the procedural schedule appended to this Order.

07/05/12 Commission Staff's Notice of Informal Conference

07/02/12 Commission Staff's Second Request for Information to Corix Utilities (Illinois) LLC; Hydro Star, LLC; Utilities, Inc.; and Water Service Corporation

07/02/12 David Edward Spenard Attorney Generals Supplemental Request for Information

07/02/12 M. Todd Osterloh Request for an informal conference on Thursday, July 12.

06/26/12 M. Todd Osterloh Applicants Responses to Commission Staffs First Information Request

06/26/12 M. Todd Osterloh Applicants Responses to Commission Staffs First Information Request

06/20/12 M. Todd Osterloh Petition for Confidentiality

06/20/12 M. Todd Osterloh Applicants Response to First Set of Information Request of the Attorney General

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06/14/12 Commission Staff's First Request for Information to Corix Utilities (Illinois) LLC; Hydro Star, LLC; Utilities, Inc.; and Water Service Corporation

06/13/12 Order Entered:  
 1. The period for reviewing the proposed transfer of control is extended to 120 days.  
 2. The procedural schedule set forth in the Appendix shall be followed.  
 3. All documents filed with the Commission shall comply with the provisions of the Commission's Order of April 16, 2012.  
 4. a. Responses to requests for information shall be appropriately bound and shall include the name of the witness responsible for responding.  
 b. Each response shall be under oath.  
 c. A party shall make timely amendment to any prior response.  
 d. For any request to which a party fails to furnish all or part of the requested information, that party shall provide a written explanation  
 e. The party responding to a request for information shall serve an original, an electronic copy, and a paper copy on the Commission.  
 5. When Joint Applicants are required in this proceeding to publish notice of an event or filing pursuant to statute, administrative regulation, or Order, it shall, when requesting publication, forward a duplicate of the notice and request to the Commission.  
 6. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.  
 7. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

06/08/12 David Edward Spenard Attorney Generals First Request for Information

05/08/12 No deficiency letter

04/30/12 Order Entered: (1) The Attorney General's motion is granted. (2) The Attorney General shall be entitled to the full rights of a party and shall be served with the Commission's Orders after the date of this Order. (3) The Attorney General shall comply with all provisions of the Commission's Order of April 16, 2012 related to the electronic filing of documents.

04/19/12 M. Todd Osterloh Response to Attorney Generals Motion to Intervene

04/16/12 Order Entered:  
 Joint Applicant's request for a deviation from 807 KAR 5:011 to permit the use of electronic filing procedures in this proceeding is granted upon the condition that each of the Joint Applicants files with the Commission within 10 days of the date of this Order a written waiver of all rights to service of Commission orders by United States mail.  
 When a conflict exists between the procedures set forth in 807 KAR 5:001 and those established in this Order, the parties shall comply with this Order.  
 A document shall be considered timely filed with the Commission if it has been successfully transmitted in electronic medium to the Commission within the time allowed for filing and the original and one copy in paper medium are filed at the Commission's offices no later than the second business day following the electronic filing.  
 Within ten days of the date of this Order, each of the Joint Applicants shall file a statement as to whether it, or its agents, are capable of receiving electronic transmission. If within 10 days of the date of this Order, any of the Joint Applicants fails to file with the Commission a written waiver of all rights to service of Commission orders by United States mail, ordering paragraphs 1 through 18 are vacated and the Joint Applicants' request for deviation is denied.

04/16/12 M. Todd Osterloh Application for Transfer and Acquisition of Control

04/16/12 M. Todd Osterloh Waiver

04/16/12 M. Todd Osterloh Petition for Confidentiality

04/11/12 Attorney General's Motion to Intervene

04/09/12 Acknowledge Receipt of Filing

04/09/12 Joint Applicants' notice of item to file application and request for waiver from paper-filing requirements to permit the use of electronic case filing procedures

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 Total Number of Cases: 1