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# Case Management System - KY Public Service Commission

*Regular Cases Before the Commission as of January 29, 2026*

**2020-00277**

RECEIVED: 07/29/20 FILED: 07/29/20 FINAL: 05/27/21  
SUSPENSION DATE: 02/01/21

REOPENED:

**CASE CODE**

Wholesale Rate Adjustment

**UTILITIES:**

City of Augusta

**HEARINGS:**

05/21/21 Formal Hearing

**INDEX OF EVENTS:**

11/03/21 POST CASE: Gerald E. Wuetcher Bracken County Water District Letter - Request for Reimbursement of Testing Services

05/27/21 Final Order Entered: 1. The rates and charges proposed by Augusta in its July 29, 2020 tariff filing are denied. 2. The parties' joint motion to approve and accept the Settlement Agreement, attached hereto as an Appendix, is granted. 3. The rate for wholesale water service that Augusta provides to Bracken District shall be \$2.36 per 1,000 gallons effective for water service provided on and after May 1, 2021. 4. Augusta shall retain all amounts billed to and collected from Bracken District for wholesale water service provided from February 1, 2021, to April 30, 2021, at the rate of \$2.50 per 1,000 gallons, which the parties agree is \$5,282.74 more than if a wholesale rate of \$2.36 per 1,000 gallons had been in effect. 5. Within 20 days of the date of this Order, Augusta shall file, using the Commission's electronic Tariff Filing System, a revised tariff sheet, in a format like the tariff sheet filed on July 29, 2020, setting out the rate of \$2.36 per 1,000 gallons for wholesale water service for Bracken District with an effective date of May 1, 2021, as authorized herein and reflecting that the rate was approved pursuant to this Order. 6. The Executive Director is delegated authority to grant reasonable extensions of time for the filing of any documents required by this Order upon Augusta's showing of good cause for such extensions. 7. This matter is closed and removed from the Commission's docket.

05/17/21 Order Entered: 1. The parties' joint motions to continue and cancel the hearing scheduled for May 21, 2021, is granted. 2. The formal hearing scheduled for May 21, 2021, is canceled. 3. The parties shall notify third-party witnesses served with a subpoena in this matter, if any, of the cancellation of the hearing. 4. The Commission will address the parties' joint motion to accept and approve the Settlement Agreement in a subsequent Order.

05/13/21 Gerald E. Wuetcher City of Augusta/Bracken County Water District Joint Motion For Cancellation of Hearing and Acceptance and Approval of Settlement Agreement

05/10/21 M Todd Osterloh City of Augusta Responses to Commission Order dated 4/30/21

05/10/21 Gerald E. Wuetcher Bracken County Water District Response to PSC Order of 4/30/2021

05/05/21 Gerald E. Wuetcher City of Augusta/Bracken County Water District Joint Motion to Continue Hearing Generally

04/30/21 Order Entered: 1. Bracken District's motion for a hearing and for the issuance of subpoenas is granted. 2. A hearing in this matter shall be held on Friday, May 21, 2021, at 9 a.m., Eastern Daylight Time, via video link. Commission Staff will contact participants by electronic mail to provide details for joining the hearing by video link. 3. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing. 4. The parties shall each identify the issues they intend to raise at the hearing, if any, on or before May 18, 2021. 5. The subpoenas shall be issued as of the date of this Order and shall be obtained by Bracken District from the Executive Director of the Commission. 6. Bracken District shall be responsible for serving the subpoenas. Notwithstanding the service of any subpoenas in this matter, Augusta shall produce Doug Padgett and Gretchen England for cross examination at the hearing in this matter. 8. Bracken District shall produce a representative(s) at the hearing in this matter who is able to testify regarding any communications and meetings Bracken District had with Augusta about Augusta's proposed rate before the tariff was filed with the Commission and Bracken District's initial decision not to object to the proposed rate.

04/28/21 M Todd Osterloh City of Augusta Supplemental Response to BCWDs Request for Information

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| 04/26/21 | Gerald E. Wuetcher Bracken County Water District Reply to City of Augustas Response to Motion for Hearing   |
| 04/23/21 | M. Todd Osterloh City of Augusta City of Augusta Response to BCWD Request for Hearing   |
| 04/16/21 | Gerald E. Wuetcher Bracken County Water District Motion for Establishment of A Hearing Date and Issuance of Subpoenas   |
| 03/10/21 | Gerald E. Wuetcher Bracken County Water District Notice Regarding Witness Testimony and Request for Hearing   |
| 02/25/21 | M Todd Osterloh City of Augusta Notice of Filing of Amended Excel File  |
| 02/24/21 | M Todd Osterloh City of Augusta Response to Bracken Districts Request for Information   |
| 02/24/21 | M Todd Osterloh City of Augusta Excel File Related to Response to Staffs Second Request, Item 3   |
| 02/24/21 | M Todd Osterloh City of Augusta Response to Staffs Second Request for Information   |
| 02/18/21 | Order Entered: 1. Augusta's motion to strike is denied. 2. Augusta shall respond to Bracken District's Request for Information, as amended with the February 12, 2021 filing, on or before February 24, 2021.   |
| 02/16/21 | M Todd Osterloh City of Augusta Reply in Support of its Motion to Strike  |
| 02/15/21 | Gerald E. Wuetcher Bracken County Water District Response to Motion to Strike   |
| 02/12/21 | Gerald E. Wuetcher Bracken County Water District Corrections and Amendments to First Request for Information  |
| 02/11/21 | M Todd Osterloh City of Augusta Motion to Strike Water Districts First Request for Information  |
| 02/10/21 | Gerald E. Wuetcher Bracken County Water District Bracken County Water Districts First Request for Information to the City of Augusta  |
| 02/10/21 | COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO CITY OF AUGUSTA  |
| 02/05/21 | Gerald E. Wuetcher Bracken County Water District Notice of Compliance with Order of 2/1/2021  |
| 02/01/21 | Order Entered: 1. Bracken District's motion for leave to intervene is granted. 2. Bracken District shall be 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. Bracken District 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. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, Bracken District 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 should be served. 5. The procedural schedule in the August 25, 2020 Order is amended as set forth in the Appendix to this Order. 6. The August 25, 2020 Order shall remain in effect except as amended herein. |
| 02/01/21 | Gerald E. Wuetcher Bracken County Water District Reply to Augustas Response to Motion for Ruling and Establishment of Procedural Schedule   |
| 01/27/21 | M Todd Osterloh City of Augusta Response to Bracken Districts Motion for Ruling and For Establishment of a Procedural Schedule  |
| 01/20/21 | Gerald Wuetcher Bracken County Water District Motion for Ruling and For Establishment of a Procedural Schedule  |
| 10/14/20 | M Todd Osterloh City of Augusta Response to Commission Staffs Second Request for Information  |
| 09/29/20 | Commission Staff's Initial Request for Information to City of Augusta   |
| 09/15/20 | M Todd Osterloh City of Augusta Responses to Commissions First Request for Information  |
| 09/14/20 | Gerald E. Wuetcher Bracken County Water District Motion to Interven   |
| 09/01/20 | M Todd Osterloh City of Augusta Notice of Appearance  |
| 08/25/20 | Order Entered: 1. This proceeding is established to investigate the reasonableness of Augusta's proposed wholesale rate increase to Bracken District. 2. Augusta's proposed wholesale rate is suspended for five months from September 1, 2020, up to and including February 1, 2021. 3. Bracken District, or any interested party, may, by counsel, file a motion to intervene no later than September 15, 2020.   |
|          | 4. Augusta shall, by counsel, enter an appearance in this proceeding within seven days of the date of entry of this Order. The entry of appearance shall include the name, address, telephone number, fax number, and electronic mail address of counsel. 5. 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. 6. Pursuant to 807 KAR 5:011, Section 8(9), within seven days of entry of this Order, Augusta 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 agents possesses the facilities to receive electronic submissions. The paper original shall be filed within 30 days of the ending of the current state of emergency caused by COVID-19.   |

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| 08/19/20 | Augusta Filing        |
| 08/19/20 | Bracken County Letter |

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Total Number of Cases: 1