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Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of November 23, 2026

2021-00154

RECEIVED: 04/08/21 FILED: 04/08/21 FINAL: 02/08/22 REOPENED:
SUSPENSION DATE: 10/08/21

CASE CODE
Alternative Rate Filing Adjustment

UTILITIES:
Martin County Water District

HEARINGS:

09/24/21	Formal Hearing
08/31/21	Formal Hearing
08/30/21	Formal Hearing
05/27/21	Formal Hearing

INDEX OF EVENTS:

12/29/23	POST CASE: Craig Miller Martin County Water District Response to Final Order of Case #2021-00154. Rate examination sheets as well as a Cost of Service Study completed by Alliance Water Resources for the Martin County Water District.
02/28/22	POST CASE: Brian Cumbo Martin County Water District Notice of Filing correspondence to Public Service Commission submitting new tariff sheets pursuant to PSC Order entered February 8, 2022.
02/08/22	Final Order Entered: 1.The findings contained in the Staff Report are adopted and incorporated by reference into this Order as if fully set out herein. 2.The water service rates proposed by Martin District are denied. 3.The rates outlined in Appendix B to this Order are approved for services rendered by Martin District on and after the date of this Order. 4.Within 20 days of the date of entry of this Order, Martin District shall file with this Commission, using the Commission's electronic Tariff Filing System, new tariff sheets setting forth the rates and charges approved herein and their effective date, and stating that the rates and charges were authorized by this Order. 5.Martin District shall use the midpoint of the depreciable lives of the NARUC ranges, as proposed in the application and agreed upon by Staff, to depreciate water plant assets for accounting purposes in all future reporting periods. No adjustment to accumulated depreciation or retained earnings should be made to account for this change in the accounting estimate. 6.Martin District shall keep detailed records sufficient to calculate the actual cost to install customer taps going forward so that it may be used in a future rate proceeding. 7.Martin District shall prioritize, by whatever means practical and reasonable, replacing its meters with compliant and accurate meters.
11/24/21	Response E-mail to Diana Marcum
10/28/21	Brian Cumbo Martin County Water District Reply Brief
10/21/21	Mary Cromer Martin County Concerned Citizens, Inc. Post-hearing brief with exhibits
10/19/21	Brian Cumbo Martin County Water District Brief on behalf of Martin County Water District.
10/19/21	Brian Cumbo Martin County Water District Notice of Filing Amended Excel Spreadsheets correcting errors on the previous filing regarding the Districts Response to question number 1 and question number 3 of PSCs Post Hearing Data Request dated September 27, 2021.
10/14/21	Brian Cumbo Martin County Water District Response to Martin County Concerned Citizens Post Hearing Data Request
10/14/21	Brian Cumbo Martin County Water District Notice of Filing Response to Public Service Commissions Post Hearing Data Request dated September 27, 2021.
10/04/21	Notice of Filing Hearing Documents
09/30/21	Response E-mail to George Brown
09/27/21	Mary Varson Cromer Martin County Concerned Citizens, Inc. Post-hearing data request
09/27/21	Response E-mail to BarbiAnn Maynard
09/27/21	COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO MARTIN COUNTY WATER DISTRICT
09/27/21	Order Entered: 1. Post-hearing data requests, if any, shall be filed on or before September 27, 2021. 2. Responses to post-hearing data requests shall be filed on or before October 14, 2021. 3. Counsel shall file a memorandum brief in support of their post-hearing position on or before October 21, 2021. 4. Counsel shall file any response brief in support of their post-hearing position on or before October 29, 2021. 5. This case shall stand submitted for a decision by the Commission effective 12:01 a.m., October 30, 2021.

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09/23/21	Brian Cumbo Martin County Water District Notice of Filing Affidavit of Publication from the Mountain Citizen newspaper regarding the PSC hearing.
09/20/21	Response E-mail to Nina McCoy
09/16/21	Mary Varson Cromer Martin County Concerned Citizens, Inc. Witness Exhibit List
09/16/21	Brian Cumbo Martin County Water District Notice of Filing Response to Commission Staffs Fourth Request for Information
09/16/21	Brian Cumbo Martin County Water District Witness and Exhibit List
09/14/21	Response E-mail to Lisa Stayton
09/08/21	Brian Cumbo Martin County Water District Letter to Mountain Citizen newspaper with Notice of PSC Hearing
09/08/21	COMMISSION STAFF'S FOURTH REQUEST FOR INFORMATION TO MARTIN COUNTY WATER DISTRICT
09/06/21	Mary Cromer Martin County Concerned Citizens Direct Testimony of Roger Colton
08/26/21	Order Entered: 1. The procedural schedule set forth in the Appendix to this Order, which is attached hereto and incorporated herein, shall be followed. 2. The hearing in this matter shall be rescheduled to September 24, 2021 at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. Commission Staff counsel will contact parties to provide information on witnesses participating via video conferencing technology. 3. Martin District shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov;" and "Public comments may be made at the beginning of the hearing.
08/25/21	Mary Varson Cromer Martin County Concerned Citizens, Inc. Objection to Staff Report
08/25/21	Brian Cumbo Martin County Water District Notice of Filing Response to Staff Report Dated August 11, 2021.
08/18/21	Brian Cumbo Martin County Water District Response to Motion to Continue
08/16/21	Mary Varson Cromer Martin County Concerned Citizens Inc. Motion for a Continuance
08/16/21	Order Entered: 1. A hearing in this matter shall be held on Monday, August 30, 2021 at 9 a.m. Eastern Daylight Time, and continued on Tuesday, August 31, 2021, at 9 a.m. and will conclude at or before 3:30 p.m. Eastern Daylight Time, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 2. Martin County Water District (Martin District) shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time the notice is mailed or publication is requested, Martin District shall forward a duplicate of the notice and request to the Commission. 3. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.
08/11/21	NOTICE OF FILING OF COMMISSION STAFF REPORT
08/05/21	Order Entered: 1. The procedural schedule set forth in the Appendix to this Order, which is attached hereto and incorporated herein, shall be followed. 2. Commission Staff shall file with the Commission and serve upon all parties of record the Commission Staff Report no later than August 12, 2021. 3. No later than 14 days after the date of the filing of the Commission Staff Report, each party of record shall file with the Commission: a. Its written comments on and any objections to the findings contained in the Commission Staff Report; and b. Any additional evidence for the Commission to consider. 4. If Commission Staff finds that Martin District's financial condition supports a higher rate than Martin District proposes or the assessment of an additional rate or charge not proposed in Martin District's application, Martin District, in its response to the Commission Staff Report, shall also state its position in writing on whether the Commission should authorize the assessment of the higher rate or the additional rate or charge. 5. If Commission Staff finds that changes should be made to the manner in which Martin District accounts for the depreciation of Martin District's assets, Martin District, in its response to the Commission Staff Report, shall also state its position in writing on whether the Commission should require Martin District to implement the proposed change for accounting purposes.
07/27/21	Brian Cumbo Martin County Water District Notice of Filing Response to PSC Question Regarding Tap Installations
07/16/21	Order Entered: 1. The procedural schedule set forth in the Appendix to this Order, which is attached hereto and incorporated herein, shall be followed.

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07/09/21	Order Entered: 1. Martin District is authorized to place into effect the interim base rate increase, subject to refund, and the surcharge set forth in the Appendix to this Order, for service rendered on and after the date of this Order. 2. Martin District shall maintain its records in such a manner as will enable it, or the Commission, or any of Martin District's customers, to determine the amounts to be refunded and to whom any refund is due in the event that a refund of any portion of the interim base rate increase is ordered by the Commission. 3. Should Martin District fail to comply with the terms and conditions of this Order, any, and all amounts collected as a result of the interim base rate increase granted hereunder shall be subject to refund, and both Martin District and the Board of Commissioners shall be subject to all applicable penalties under KRS 278.990.
07/07/21	Brian Cumbo Martin County Water District Response to Martin County Concerned Citizens Second Data Request dated June 10, 2021.
06/29/21	Brian Cumbo Martin County Water District Notice of Filing Xylem Dewatering Solutions, Inc.s Notice of Voluntary Dismissal of their Complaint filed against MCWD in the U.S. District Court, Eastern District of Kentucky
06/23/21	Brian Cumbo Martin County Water District Responses to Commission Staffs Third Request for Information to MCWD dated June 9, 2021.
06/22/21	Notice of Filing Hearing Documents
06/14/21	Brian Cumbo Martin County Water District Motion for Extension of Time to Respond to Martin County Concerned Citizens Second Data Request.
06/10/21	Mary Varson Cromer Martin County Concerned Citizens Inc. Martin County Concerned Citizens Second Request for Information
06/09/21	Response E-mail to Kathleen Collins
06/09/21	COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO MARTIN COUNTY WATER DISTRICT
06/03/21	Brian Cumbo Martin County Water District Notice of Filing Complaint filed on May 27, 2021 in the U.S. District Court, Eastern District of Kentucky, by Xylem Dewatering Solutions, Inc. against Martin County Water District.
06/03/21	Brian Cumbo Martin County Water District Response Brief on behalf of Martin County Water District.
06/02/21	Response E-mails to Multiple Comments
06/01/21	Mary Varson Cromer Martin County Concerned Citizens Inc. Post-hearing brief
06/01/21	Response E-mail to Willie Stepp
05/28/21	Order Entered: 1. Martin County Concerned Citizens may file a memorandum brief in support of their respective post-hearing positions on or before June 1, 2021. 2. Martin County Water District may file a response brief on or before June 7, 2021. 3. This case shall stand submitted for a decision on the emergency rate by the Commission effective 12:01 a.m., Eastern Daylight Time, on June 8, 2021.
05/26/21	Letter Filing Document into the Record
05/26/21	Brian Cumbo Martin County Water District Notice of Filing Responses to PSCs Second Data Request Dated May 24, 2021.
05/25/21	Brian Cumbo Martin County Water District Notice of Filing Exhibit #1, Alliance Water Resources, Inc. Operations Update Power Point to be utilized at PSC hearing on May 27, 2021.
05/25/21	Brian Cumbo Martin County Water District Notice of Filing Affidavit of Publication from Mt. Citizen newspaper regarding notice of PSC Hearing.
05/25/21	Letter Filing Document into the Record
05/20/21	Brian Cumbo Martin County Water District Excel Spreadsheets (6).
05/20/21	Response E-mails to Multiple Comments
05/20/21	Brian Cumbo Martin County Water District Response to PSC First Data Request.
05/20/21	Brian Cumbo Martin County Water District Response to Martin County Concerned Citizens First Data Request
05/20/21	Brian Cumbo Martin County Water District Revisions to Rate Request Submittal.
05/18/21	Response E-mails to Multiple Comments
05/14/21	Anonymous Public Comment
05/14/21	Delcie A. Fitch Public Comment
05/13/21	Dorothy Crum Public Comment
05/13/21	Nina McCoy Public Comment
05/12/21	Glen and Diana Maynard Public Comment
05/12/21	Roy L. Spaulding Public Comment
05/11/21	Brian Cumbo Martin County Water District Letter to Mt. Citizen newspaper with Notice of PSC hearing to publish.

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05/11/21	Aurelia Howard Public Comment
05/11/21	Joyce H. McBride Public Comment
05/10/21	Junior and Elaina Hunt Public Comment
05/06/21	Mary Varson Cromer Martin County Concerned Citizens Inc First Set of Data Requests to Martin County Water District
05/06/21	Jeffery Ward Public Comment
05/05/21	COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO MARTIN COUNTY WATER DISTRICT
04/30/21	Response E-mail to John Horn
04/26/21	Christine Maynard Public Comment
04/25/21	Mary Varson Cromer Martin County Concerned Citizens Written statement regarding receipt of electronic transmissions.
04/21/21	Order Entered 1. Paragraph 12 of the Order is stricken and is replaced with the following language: A hearing in this matter shall be held on May 27, 2021, at 9 a.m. Eastern Daylight Time, via video conferencing link, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky, to take evidence for Martin District's request for emergency rate relief. Martin District Commissioners, Jimmy Don Kerr and John Paul Hensley; General Manager, Craig Miller; and Director of Operations for Alliance Water Resources, James Anthony Sneed, shall appear virtually for the video conference. 2. All other provisions of the Commission's April 14, 2021 Order that are not in conflict with the terms of this Order shall remain in effect.
04/19/21	Order Entered: 1. The motion of MCCC to intervene is granted. 2. MCCC 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. MCCC 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. MCCC shall adhere to the procedural schedule set forth in the Commission's April 14, 2021 Order and as amended by subsequent Orders.
04/14/21	Order Entered: 1. The procedural schedule set forth in the Appendix to this Order, which is attached hereto and incorporated herein, shall be followed. 2. a. Responses to requests for information shall be appropriately bound, tabbed and indexed, with the original and an electronic version to the Commission. The Commission expects the original documents to be filed with the Commission within 30 days of the lifting of the current state of emergency. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.
04/13/21	Simpkins Public Comment
04/09/21	Response E-mails to Multiple Comments
04/09/21	Brian Cumbo Martin County Water District Entry of Appearance on behalf of Martin County Water District.
04/08/21	No deficiency letter
04/08/21	Craig Charles Miller Martin County Water District Alternate Rate Filing packet for The Martin County Water District
04/06/21	Mary Varson Cromer Martin County Concerned Citizens Motion to Intervene
04/02/21	Acknowledge Receipt of Filing
04/01/21	Martin County Water District Notice of Intent to File an Application for an Alternative Rate Adjustment Using Electronic Filing Procedures

Total Number of Cases: 1