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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of May 01, 2024***2018-00358**

RECEIVED: 11/28/18

FILED: 11/28/18

FINAL: 08/08/19

REOPENED: 07/22/19

SUSPENSION DATE: 06/27/19

**CASE CODE**

General Rates

**UTILITIES:**

Kentucky-American Water Company

**HEARINGS:**

05/14/19 Formal Hearing  
 05/13/19 Formal Hearing  
 05/06/19 Public Meeting  
 01/09/19 Formal Hearing

**INDEX OF EVENTS:**

12/15/23 Order Entered nunc pro tunc, that: 1. Footnote 303 on page 82 of the June 27, 2019 Order is stricken and is replaced with the following language: <sup>303</sup> Case No. 2017-00349, Electronic Application of Atmos Energy Corporation for an Adjustment of Rates and Tariff Modifications (Ky. PSC May 3, 2018), Order at 41–42. 2. All other provisions of the Commission's June 27, 2019 Order that are not in conflict with the terms of this Order shall remain in effect.

03/30/21 Order Entered: 1. Kentucky-American's motion for confidential treatment is granted. 2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission. 3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9). 4. Kentucky-American shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.

03/26/21 POST CASE: Kentucky-American Water Company Kentucky American Water Notice of Filing of Contracts

03/05/21 Order Entered: 1. Kentucky-American's motion for confidential treatment is granted.

03/01/21 POST CASE: Kentucky-American Water Company Kentucky American Water Notice of Filing of Contracts

11/12/19 Order Entered: 1. This case is opened to clarify the periodic reporting and annual filing requirements for Kentucky-American's QIP.  
 2. Appendix B to the June 27, 2019 Order is stricken and replaced with the Appendix attached to this Order. 3. All other provisions of the June 27, 2019 Order not in conflict with this Order remain in effect. 4. This case is now closed and removed from the Commission's docket.

08/08/19 Order Entered: 1. The Attorney General's petition for rehearing is granted in part and denied in part. 2. The Attorney General's petition for rehearing on the issue of the representation of a party's witness testimony as a party's position is denied. 3. The Attorney General's petition for rehearing on the issue of the representation of jointly-sponsored witness testimony as both parties' position is denied. 4. The Attorney General's petition for rehearing on the issue of the ESPP is granted to the limited extent that the following is inserted into page 47 of the Final Order before the "Deferred Maintenance Expense" section. Employee Stock Purchase Program Kentucky-American offers an employee stock purchase program (ESPP) that is a voluntary, optional employee benefit available to all full- and part-time employees. Effective in May 2019, Kentucky-American employees who make this election pay 85 percent of the cost to purchase American Water common stock through payroll deduction at post-tax dollars. In his post-hearing brief, the Attorney General asserts that \$17,459 that was included in rate base for the ESPP should be disallowed. The Attorney General argued that the ESPP is part of a generous compensation package that allows employees to purchase stock at a discount and that customers should not pay for this employee benefit. LFUCG did not address this issue in its post-hearing brief.

08/02/19 Justin M. McNeil The Office of The Attorney General The Attorney Generals Reply to Kentucky-American Water Company

07/29/19 Kentucky-American Water Company Kentucky American Water KAWs Response to AGs Petition for ReHearing

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07/29/19 M Todd Osterloh LFUCG Response to Attorney Generals Petition for Rehearing  
07/22/19 Justin M. McNeil The Office of The Attorney General The Attorney Generals Petition for Rehearing  
06/27/19 Final Order Entered: 1. The rates and charges proposed by Kentucky-American are denied. 2. The rates and charges, as set forth in Appendix C to this Order are approved. 3. The rates and charges for Kentucky-American, as set forth in Appendix C to this Order, are the fair, just, and reasonable rates for Kentucky-American, and these rates are approved for service rendered on and after June 28, 2019. 4. The QIP Rider requested by Kentucky-American, as modified in this Order, is granted. 5. Kentucky-American shall file its initial QIP Rider application on or before April 2, 2020, for the first QIP forecasted test period of July 2020 through June 2021. 6. Kentucky-American shall comply with the QIP filing process, information, and deadlines set forth in Appendix B to this Order 7. Any documents filed pursuant to ordering paragraph 6 shall reference this case number and be filed in the post-case file. 8. Within 20 days of the date of this Order, Kentucky-American shall, using the Commission's electronic Tariff Filing System, file its revised tariffs setting out the rates authorized in this Order and the revised QIP Rider and reflecting that they were approved pursuant to this Order. 9. This case is now closed and removed from the Commission's docket.

06/27/19 Order Entered: LFUCG's motion to strike is denied.

06/24/19 M Todd Osterloh LFUCG LFUCG Reply in Support of Its Motion to Strike  
06/21/19 Kentucky-American Water Company Kentucky American Water KAWs Response to LFUCGs Motion to Strike

06/18/19 M. Todd Osterloh Lexington-Fayette Urban County Government Motion to Strike  
06/14/19 Monica Braun Kentucky-American Water Company Reply Brief  
06/14/19 Monica Braun Kentucky-American Water Company Supplemental Response  
06/11/19 Justin M. McNeil Office of the Attorney General The Attorney Generals Post-Hearing Brief  
06/11/19 M. Todd Osterloh Lexington-Fayette Urban County Government LFUCG Post-Hearing Brief  
06/04/19 Notice of Filing Hearing Documents  
05/31/19 Kentucky-American Water Company Kentucky American Water KAWs Post-Hearing Brief  
05/30/19 Order Entered: 1. Kentucky-American's petition for confidential protection for its response to LFUCG's Post-Hearing Request, Item 17, is granted. 2. The designated materials for which Kentucky-American requested confidential treatment shall not be placed in the public record or made available for public inspection for an indefinite period of time, or until further Orders of this Commission. 3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 4. Kentucky-American shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment. 5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, then Kentucky-American shall have 30 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 Kentucky-American is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

05/24/19 Kentucky-American Water Company Kentucky American Water KAW Responses to Commission Staffs Post Hearing Data Requests  
05/24/19 Kentucky-American Water Company Kentucky American Water KAW Responses to AG and LFUCG Post-Hearing Data Requests and Petition for Confidential Treatment  
05/22/19 Notice of Filing Hearing Documents  
05/16/19 M Todd Osterloh LFUCG LFUCG Post-Hearing Data Requests to KAW  
05/16/19 Justin M. McNeil Office of the Attorney General The Attorney Generals Post-Hearing Data Requests  
05/16/19 Commission Staff's Post-Hearing Request for Information to Kentucky-American Water Company  
05/15/19 Response E-mail to Grayson Vandegrift  
05/14/19 Order Entered: 1. Post-hearing data requests shall be filed on or before Thursday, May 16, 2019. 2. Responses to post-hearing data requests shall be filed on or before Friday, May 24, 2019. 3. The applicant shall file its post-hearing brief on or before Friday, May 31, 2019. 4. Intervenor shall file post-hearing briefs on or before Tuesday, June 11, 2019. 5. The applicant shall file its reply brief on or before Friday, June 14, 2019. 6. This case shall stand submitted for decision by the Commission effective 12:01 a.m., Eastern Daylight Time, on June 15, 2019.

05/08/19 Monica H. Braun Kentucky-American Water Company Proof of Publication of Hearing  
05/07/19 Minutes of the Information Session and Public Meeting - May 6. 2019  
04/30/19 Kentucky-American Water Company Kentucky American Water KAWs Rebuttal Testimony

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04/26/19 Kentucky-American Water Company Kentucky American Water KAWs Notice of Adoption Regarding Departed Witness

04/26/19 Order Entered: 1. Kentucky-American shall appear on Monday, May 13, 2019, at 9 a.m. Eastern Daylight Time in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky, for the purpose of presenting evidence in support of its request for a general rate adjustment. 2. The May 13, 2019 hearing shall be recorded by digital video recording only.

04/22/19 Kentucky-American Water Company Kentucky American Water Notice of Request to Publish

04/15/19 Justin M. McNeil Office of the Attorney General and LFUCG The Responses of the AG/LFUCG to Kentucky-American Water Companys Data Requests

04/15/19 Justin M. McNeil Office of the Attorney General and LFUCG The Responses of the AG/LFUCG to Commission Staffs Data Requests

04/15/19 Kentucky-American Water Company Kentucky American Water KAWs Base Period Update

04/15/19 Kentucky-American Water Company Kentucky American Water KAW Responses to Staffs Fourth Information Request and Supplemental Response to AG 1-55

03/29/19 Kentucky-American Water Company Kentucky American Water KAWs Information Request to AG and LFUCG

03/27/19 Commission Staff's First Request for Information to Attorney General and Lexington-Fayette Urban County Government

03/27/19 Commission Staff's Fourth Request for Information to Kentucky-American Water Company

03/22/19 Monica H. Braun Kentucky American Water Company Supplemental Redacted Response to PSC 2-16

03/15/19 Justin M. McNeil Office of the Attorney General and LFUCG The Direct Testimony of AG/LFUCG Witnesses

03/14/19 Order Entered: 1 . Kentucky-American's petitions for confidential protection filed on November 28, 2018, December 12, 2018, January 25, 2019, and March 1, 2019, are granted. 2. The designated materials for which Kentucky-American requested confidential treatment shall not be placed in the public record or made available for public inspection for an indefinite period of time, or until further Orders of this Commission. 3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).  
4. Kentucky-American shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment. 5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, then Kentucky-American shall have 30 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 Kentucky-American is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

03/12/19 Stanley Houston Public Comment

03/01/19 Kentucky-American Water Company Kentucky American Water KAWs Responses to LFUCGs Second Request for Information

03/01/19 Kentucky-American Water Company Kentucky American Water KAWs Responses to AGs Second Request for Information

03/01/19 Kentucky-American Water Company Kentucky American Water KAWs Responses to Commission Staffs Third Request for Information

02/21/19 Response E-mail to Laura Furnish

02/19/19 M. Todd Osterloh Lexington-Fayette Urban County Government Notice of Filing OAG Agreement

02/15/19 M Todd Osterloh LFUCG Data Request to KAWC

02/15/19 Justin M. McNeil Office of the Attorney General The Attorney Generals Supplemental Data Requests

02/13/19 Commission Staff's Third Request for Information to Kentucky-American Water Company

02/07/19 Notice of Filing Hearing Documents

02/01/19 Response E-mails to Multiple Comments

01/28/19 Kentucky-American Water Company Kentucky American Water Excel file response to OAG 1-3

01/25/19 Kentucky-American Water Company Kentucky American Water KAWs Petition for Confidential Treatment

01/25/19 Kentucky-American Water Company Kentucky American Water KAW Responses to AG First Information Requests

01/25/19 Kentucky-American Water Company Kentucky American Water KAW Response to PSC Second Information Request Item 3 Excel Files

01/25/19 Kentucky-American Water Company Kentucky American Water KAW Responses to PSC Second Set of Information Requests

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01/25/19 Kentucky-American Water Company Kentucky American Water KAW Responses to LFUCG First Information Request

01/16/19 M Todd Osterloh Certification of Electronic Service

01/14/19 Stanley Houston Public Comment

01/10/19 M Todd Osterloh LFUCG Request for Information to Kentucky American

01/10/19 Justin M. McNeil Office of the Attorney General The Attorney Generals Initial Data Requests

01/10/19 Order Entered: 1. LFUCG's motion to intervene is granted. LFUCG 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 entry of this Order. 2. LFUCG shall comply with all provisions of the Commission's regulation, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 3. LFUCG shall adhere to the procedural schedule set forth in the Commission's December 5, 2018 Order and as amended by subsequent Orders. 4. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, LFUCG shall file a written statement, with a copy to parties of record, that: a. Affirms that it, or its agent, possesses the facilities to receive electronic transmissions; b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served. 5. LFUCG and the Attorney General shall file a copy with the Commission of their agreement regarding their joint participation in this matter within seven days of entering into the agreement.

01/09/19 Commission Staff's Second Request for Information to Kentucky-American Water Company

01/09/19 Order Entered: 1. A hearing in this matter shall be held on Tuesday, May 14, 2019, at 9 a.m., Eastern Daylight Time, at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 2. Kentucky-American Water Company (Kentucky-American) 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, Kentucky-American 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.

01/08/19 Order Entered: Attorney General's motion for rehearing is denied.

01/08/19 Bates and Skidmore Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. Notice of Withdrawal of Motion to Intervene

01/04/19 Justin M. McNeil Office of the Attorney General The Attorney Generals Motion for Rehearing

01/04/19 Order Entered: 1. The Attorney General's motion to amend the procedural schedule in this proceeding is granted in part and denied in part. 2. The Attorney General's request to amend the procedural schedule to extend the deadline for filing intervenor testimony to March 15, 2018, is granted. 3. The Attorney General's request to amend the procedural schedule to extend the deadline for filing requests for information to Kentucky-American from January 10, 2019, to January 18, 2019, and the deadline for Kentucky-American to file its responses from January 25, 2019, to February 4, 2019, is denied. 4. The deadline to file intervenor testimony in the Appendix to the December 5, 2018 Order is stricken and replaced with the following: Intervenor testimony, if any, in verified prepared form, shall be filed no later than 03/15/19. 5. All provisions of the December 5, 2018 Order that are not in conflict with the terms of this Order shall remain in effect.

01/04/19 Kentucky-American Water Company Kentucky American Water KAWs Supplemental Witness Verifications for Commission Staffs First Set of Information Requests

01/04/19 Order Entered: Ms. Sandhu's petition to intervene is denied.

01/03/19 Order Entered: 1. A hearing in this matter shall be held on Wednesday, January 9, 2019, at 9 a.m., Eastern Standard Time, at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky, for receiving testimony from representatives of LFUCG and CAC in support of their respective pending requests for intervention. 2. Pursuant to KRS 268.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.

01/03/19 Justin M. McNeil Office of the Attorney General The Attorney Generals Email Service Response to Commissions Order

01/03/19 Order Entered: 1. The motion of the Attorney General to intervene 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 and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. 3. The Attorney General shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of

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documents. 4. The Attorney General shall adhere to the procedural schedule set forth in the Commission's December 8, 2018 Order and as amended by subsequent Orders. 5. Pursuant to 807 KAR 5:001 , Section 8(9), within seven days of entry of this Order, the Attorney General 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.

01/03/19	Justin M. McNeil Office of the Attorney General The Attorney Generals Motion to Amend the Procedural Schedule
12/28/18	Kent A. Chandler Kentucky Office of the Attorney General Attorney Generals Motion to Intervene
12/27/18	Bates and Skidmore Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. Motion to Intervene and Read 1st cover letter
12/21/18	Response E-mails to Multiple Comments
12/19/18	Jason Stiehler Public Comment
12/17/18	Angel Reed Public Comment
12/17/18	Asa Crane Public Comment
12/17/18	Larry Leach Public Comment
12/14/18	Kentucky-American Water Company Kentucky American Water Response to Nishaan Sandhus Request to Intervene
12/14/18	Gabe Knowles Public Comment
12/12/18	Kentucky-American Water Company Kentucky American Water Excel files for Commission Staff 1-1
12/12/18	Kentucky-American Water Company Kentucky American Water KAWs Responses to Staffs First Set of Information Requests
12/11/18	M Todd Osterloh LFUCG Motion to Intervene
12/11/18	Gary Graham Public Comment
12/10/18	Response E-mails to Multiple Comments
12/10/18	Order Entered Nunc Pro Tunc, that: 1. The intervention deadline in the Appendix to the December 5, 2018 Order is stricken and replaced with the following: Requests for intervention shall be filed no later than 12/28/18 2. All provisions of the December 5, 2018 Order that are not in conflict with the terms of this Order shall remain in effect.
12/10/18	Marian Walters Public Comment
12/10/18	Guy Burnham Public Comment
12/10/18	Robert A. Yokel Public Comment
12/10/18	David Gore Public Comment
12/07/18	Nishaan Sandhu Request to Intervene
12/07/18	George McKay Public Comment
12/06/18	Steve Strunk Public Comment
12/06/18	Donald Thalls Public Comment
12/05/18	Order Entered: 1. Kentucky-American's proposed tariffs are suspended for six months from December 28, 2018, up to and including June 27, 2019. 2. The procedural schedule set forth in the Appendix to this Order shall be followed. a. Responses to requests for information in paper medium shall be appropriately bound, tabbed, and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided, with an original in paper medium, and an electronic version to the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry. c. Any party shall make timely amendment to any prior response if it obtains information that indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.
12/05/18	Mark and Karen Pendleton Public Comment
12/05/18	Leila Salisbury Public Comment
12/04/18	Monica H. Braun Kentucky-American Water Company Customer Notice Verification
12/04/18	Leonard Ballinger Public Comment
12/04/18	C. White Public Comment
12/04/18	Kris Jayaratne Public Comment

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11/30/18	No deficiency letter
11/28/18	Kentucky-American Water Company Kentucky American Water Application and supporting materials
11/09/18	Commission Staff's First Request for Information to Kentucky-American Water Company
10/26/18	Acknowledge Receipt of Filing
10/26/18	Kentucky-American Water Company Notice of Intent to File an Application for an Adjustment of Water Rates Using Electronic Filing Procedures

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Total Number of Cases: 1