

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF MARION COUNTY WATER)	
DISTRICT TO ESTABLISH AND INCREASE)	CASE NO. 90-201
CERTAIN NONRECURRING CHARGES)	

O R D E R

On July 5, 1990, Marion County Water District ("Marion Water") filed with the Commission a tariff proposing to establish certain non-recurring charges. In its filing, Marion Water requested a deviation from the requirements of 807 KAR 5:011, Section 10(1)(a), on the grounds that the proposed late payment penalty is a percentage instead of a specific dollar amount.

807 KAR 5:011, Section 10, defines non-recurring charges as charges "intended to be limited in nature and to recover the specific cost of the activity." The regulation allows a utility to seek a rate revision for non-recurring charges outside a general rate proceeding, but requires the information contained in subsections (1)-(3) to be provided with such a filing. Inasmuch as the regulation defines non-recurring charges as revenue-neutral yet mandates the filing of the information, its clear intent is to require the information be filed.

Having reviewed the proposed tariff and being otherwise sufficiently advised, the Commission finds that Marion Water's request to deviate from the requirements of 807 KAR 5:011, Section 10(1)(a), should be denied.

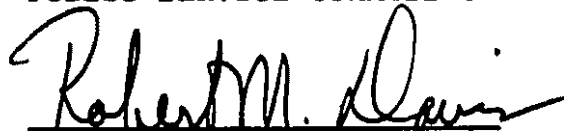
IT IS THEREFORE ORDERED that:

1. Marion Water's request for a deviation from the requirements of 807 KAR 5:011, Section 10(1)(a), be and it hereby is denied.

2. Marion Water shall file all pertinent information required by 807 KAR 5:011, Section 10, to support its proposed late payment penalty within 10 days of the date of this Order.

Done at Frankfort, Kentucky, this 22nd day of August, 1990.

PUBLIC SERVICE COMMISSION


Robert M. Davis
For the Commission

ATTEST:


Executive Director