

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PROPOSED ADJUSTMENT OF THE WHOLESALE)
WATER SERVICE RATES OF THE CITY OF) CASE NO. 99-276
WILLIAMSON, WEST VIRGINIA)

ORDER

On June 30, 1999, the Commission directed the City of Williamson, West Virginia (Williamson) and Mountain Water District to address certain issues regarding the Commission s jurisdiction over Williamson s proposed rates. Based upon Williamson s response, the Commission finds that it lacks jurisdiction over the proposed rate, rejects Williamson s filing, and closes this proceeding.

Williamson, a city within the state of West Virginia, provides water service to Mountain Water District. It provides water service at two separate metering points. Each point is located within Williamson s boundaries. Mountain Water District transports the purchased water across the Tug Fork River into Pike County, Kentucky, on water mains that it owns and maintains. None of Williamson s facilities are used for the transportation or distribution of water to Mountain Water District after the metering point.

Williamson proposes to adjust the rate that it presently charges for water service to Mountain District. It has filed a rate schedule with the Commission that reflects the proposed rate adjustment. Prior to its filing, Williamson did not have any rate schedule on file with this Commission.

KRS 278.040(2) provides that [t]he jurisdiction of the commission shall extend to all utilities **in this state** [emphasis added]. Assuming arguendo that Williamson is a utility, it is not a utility within the state of Kentucky. Therefore, this Commission has no jurisdiction over Williamson's rates or service. We have no authority to rule on the reasonableness or lawfulness of its proposed rate adjustment or of any conditions of service.

IT IS HEREBY ORDERED that:

1. Williamson's proposed tariff sheets are rejected.
2. This case is dismissed and shall be removed from the Commission's docket.

Done at Frankfort, Kentucky, this 26th day of August, 1999.

By the Commission

ATTEST:

Executive Director