

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE TARIFF FILING OF NORTHERN )  
KENTUCKY WATER DISTRICT TO )  
AMEND ITS CROSS-CONNECTION ) CASE NO. 2004-00309  
CONTROL POLICY )

O R D E R

On July 9, 2004, Northern Kentucky Water District (“NKWD”) filed with the Commission its revised cross-connection control policy in accordance with the Commission’s directive in Case No. 2001-00202.<sup>1</sup> Having reviewed NKWD’s revised cross-connection policy and finding that further proceedings are necessary to determine the reasonableness of the proposed revisions, the Commission on August 5, 2004 suspended the revised policy and established Case No. 2004-00309.

On August 5, 2004, the Greater Cincinnati Northern Kentucky Apartment Association (“Cincinnati”) filed objections to the revised cross-connection policy and moved to intervene for the purpose of opposing implementation of the revised policy. In support of its motion, Cincinnati states that it is the largest association of owners of multi-family housing in NKWD’s service area, that the revised cross-connection policy may adversely affect its members, and that its intervention is in the interest of administrative economy as its intervention would avoid numerous requests for intervention by its individual members.

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<sup>1</sup> Case No. 2001-00202, Crestbrook Properties, LLC v. Northern Kentucky Water District.

While Cincinnati filed its motion in Case No. 2001-00202, it is readily apparent that its intent is to participate in our investigation on the reasonableness of NKWD's revised cross-connection policy. We therefore will construe the motion as a motion for intervention in Case No. 2004-00309. We find that Cincinnati has a special interest in the proceeding which is not otherwise adequately represented and that its full intervention is likely to present issues and to develop facts that will assist us in fully considering the matter without unduly complicating or disrupting the proceedings. Accordingly, we find Cincinnati's motion should be granted.

We further find that Crestbrook Properties, LLC ("Crestbrook"), the Complainant in Case No. 2001-00202, should also be made a party to Case No. 2004-00309. The issues in both proceedings are similar. Crestbrook's participation is likely to present issues and to develop facts that will assist us in fully considering the matter. Moreover, we note that Crestbrook has filed a formal objection to NKWD's revised cross-connection policy in the record of Case No. 2001-00202.

IT IS THEREFORE ORDERED that:

1. The record of Case No. 2001-00202 is hereby incorporated into the record of Case No. 2004-00309.
2. Cincinnati's motion for intervention is granted.
3. Crestbrook is hereby made a party to this proceeding.
4. Cincinnati and Crestbrook shall be entitled to the full rights of parties in Case No. 2004-00309 and shall be served with the Commission's Orders in that proceeding after the date of this Order.

5. If Cincinnati or Crestbrook files any documents in Case No. 2004-00309, Cincinnati or Crestbrook shall serve a copy of such filing on all other parties of record.

Done at Frankfort, Kentucky, this 20<sup>th</sup> day of August, 2004.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end, positioned above a solid horizontal line.

Executive Director