

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF THE CITY OF)	
AUGUSTA TO INCREASE THE WHOLESALE)	CASE NO.
WATER RATE CHARGED TO BRACKEN)	2024-00349
COUNTY WATER DISTRICT)	

ORDER

On June 27, 2025, Bracken County Water District (Bracken District) filed a motion seeking to allow a witness, Chairman Anthony Habermehl, to appear remotely or in the alternative have a substitute to appear in person.¹ On July 1, 2025, city of Augusta (Augusta) filed a motion, which responded to Bracken District's motion and requested that the hearing set for July 16, 2025, be rescheduled. Augusta stated that the mayor of Augusta, Mr. John Laycock, is also employed by a private enterprise as an operations manager and was directed by his supervisor that his availability was required the week of July 14, 2025, to support his employer's operations in Michigan.² As a result, Mayor Laycock is unable to participate in the hearing scheduled on July 16, 2025.³ Augusta requested the date be extended and proposed several alternative hearing date options.⁴ On July 7, 2025, Bracken District filed a response to August's request to continue the

¹ Intervener, Bracken District's Motion to [Excuse] Chairman, Anthony Habermehl, as a Witness with Alternative Motion to Substitute Vice- Chairman, Rick king as a Witness or Authorized Chairman Anthony Habermehl, to Appear by Zoom (filed June 27, 2025)

² Augusta's Motion to Reschedule July 16, 2025 Hearing Due to the Unavailability of Witness John Laycock and Response to Bracken District's Motion to Excuse Witness (filed July 1, 2025) (Motion to Reschedule) at 1-2.

³ Augusta's Motion to Reschedule at 2.

⁴ Augusta's Motion to Reschedule at 2.

hearing. Bracken Districted stated that while it did not object to moving the hearing date it requested that “. . . any delay in a ruling prior to the current suspension period for the rate increase request (i.e. September 18, 2025), would be further suspended, until Order of this Commission, setting the effective date.”⁵

Having considered the motions, the Commission finds that the formal hearing in this matter should be rescheduled as Augusta has established good cause for a continuance in this matter. The Commission notes that Bracken District’s motion related to Mr. Habermehl’s virtual appearance is rendered moot. If additional issues arise, Bracken District may file an appropriate motion. Further the Commission notes that the tariff suspension period was implemented on March 19, 2025, the date Augusta sought to amend the tariff from \$2.967 per thousand gallons to \$3.181 per thousand gallons. The tariff was suspended until September 18, 2025, pursuant to KRS 278.190(2).⁶

IT IS HEREBY ORDERED that:

1. Augusta’s motion to reschedule the hearing is granted.
2. Bracken District’s request to further suspend the tariff is denied.
3. The hearing scheduled for July 16, 2025, is canceled.
4. Bracken District’s motion seeking remote appearance of a witness at the now canceled July 16, 2025 hearing is denied as moot.
5. A hearing in this matter shall now be held on July 31, 2025, at 9 a.m. Eastern Daylight Time: at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky.

⁵ Bracken District’s Response to Augusta’s Request for Excuse of Witness (Mayor, John Laycock) and/or Continuance of Hearing Set for July 16, 2025 (filed July 7, 2025) at 2.

⁶ Order (Ky. PSC Apr. 18, 2025).

6. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing shall be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing.


7. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at any hearing scheduled in this matter.

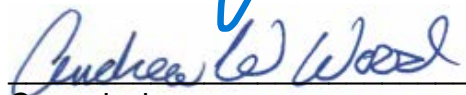
8. Augusta and Bracken District shall each file an updated witness list at least seven days prior to the hearing date.

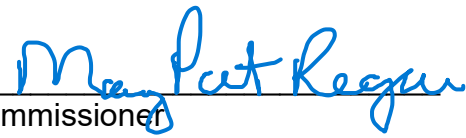
9. Augusta shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: “This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov” and “Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov.” At the time the notice is mailed or publication is requested, Augusta shall forward a duplicate of the notice and request to the Commission.

10. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


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