

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF OHIO COUNTY)	
WATER DISTRICT FOR (1) ISSUANCE)	
OF A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY)	
FOR CONSTRUCTION OF THE)	
SERIES III WATER SYSTEM)	CASE NO. 2003-00034
IMPROVEMENTS; (2) AUTHORIZATION)	
TO ISSUE SERIES III REVENUE BONDS)	
IN THE AMOUNT OF \$1,890,000; AND)	
(3) AUTHORIZATION TO ADJUST)	
RATES TO PAY FOR THE ADDITIONAL)	
INDEBTEDNESS)	

O R D E R

On November 5, 2003, Vicki Henderson filed a motion for “intervention and reconsideration of increasing water rates” in the Ohio County Water District (“Ohio District”) rate proceeding before the Commission. Ms. Henderson’s request contains, among other things, reference to a contract among Ohio District, Perdue Farms, Ohio County Industrial Foundation, Inc., Ohio County Industrial Authority, the cities of Beaver Dam and Hartford, and the Ohio County Fiscal Court. This matter was addressed in our Order in Case No. 1998-00015.¹

¹ Case No. 1998-00015, The Application of Ohio County Water District For: (1) Issuance of a Certificate of Public Convenience and Necessity for Construction of the 1997 Water System Improvements; (2) Authorization to Issue Series I Revenue Bonds in the Amount of \$4,000,000; and Authorization to Raise Rates to Pay for the Additional Indebtedness (final Order dated August 19, 1998).

The Commission established this case on May 14, 2003 as a special electronically filed case. On May 5, 2003, Ohio District filed an affidavit stating that notice of the filing of this case was published, pursuant to 807 KAR 5:001, in The Ohio County Times News, for the period April 17 through May 1, 2003. The published notice stated that a request for intervention should be filed with the Commission within 30 days of the date of each publication.

807 KAR 5:001, Section 3(8), states that any person who wishes to become a party to a proceeding before the Commission may, by timely motion, request that he be granted leave to intervene.

The Attorney General of Kentucky, by and through his Office of Rate Intervention, was granted full intervention on May 14, 2003. On September 12, 2003, the Commission granted full intervention to Jacqueline Mitchell, noting that Ms. Mitchell is the representative of several customers of Ohio District who are opposed to the rate request.

As this case was filed on May 14, 2003 and now stands submitted to the Commission for a decision by an Order dated October 23, 2003, the Commission finds that Ms. Henderson's motion to intervene is not timely.

Being otherwise sufficiently advised, the Commission HEREBY ORDERS that Ms. Henderson's request for intervention is denied.

Done at Frankfort, Kentucky, this 12th day of November, 2003.

By the Commission

ATTEST:


Executive Director