

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

**ELECTRONIC TARIFF FILING OF CITY OF            )**  
**AUGUSTA REVISING ITS WHOLESALE                )** **CASE NO. 2020-00277**  
**WATER SERVICE RATES                                )**

**MOTION FOR ESTABLISHMENT OF HEARING DATE**  
**AND ISSUANCE OF SUBPOENAS**

Bracken County Water District (“Bracken District”) moves that the Public Service Commission schedule this matter for hearing and issue subpoenas to compel the appearance of the persons listed in Exhibit A to this Motion at such hearing. In support of its motion, Bracken District states:

1. On February 1, 2021, the Commission established a revised procedural schedule that provided for limited discovery and the filing of testimony but did not set this matter for hearing. In lieu of setting this matter for hearing, the Commission directed that any request for a hearing be submitted no later than April 23, 2021

2. On March 10, 2021, Bracken District requested that a hearing be scheduled in this matter. It further advised the Commission that it had contacted counsel for the City of Augusta (“Augusta”) and requested a meeting between representatives of the two parties to discuss the issues in this proceeding and the possibility of settlement.

3. The Commission has not acted upon Bracken District’s request.

4. While the parties have begun settlement discussions, it is unclear whether these discussions will be successful. As KRS 278.190(3) requires a final decision on the proposed wholesale rate no later than May 28, 2021, only 42 days remain for the Commission to hear and

decide this matter. Prudence dictates that this matter be scheduled for hearing as soon as possible to ensure that adequate time for the matter to be heard and decided.

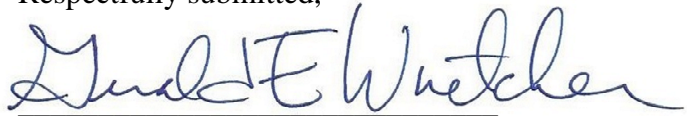
5. While Bracken District has engaged in good faith negotiations with Augusta and hopes to resolve this matter without a hearing, it wishes to ensure an adequate evidentiary record to permit the rendering of a fair, just and reasonable decision. The existing evidentiary record is very limited. Augusta has not filed testimony in this matter to support its proposed rate adjustment nor has it filed the documentary evidence that the Commission has generally required of a municipal utility in a rate proceeding. Moreover, Augusta's revisions to its earlier responses to Commission Staff's requests for information and its responses to Bracken District's Requests for Information have increased the importance of a hearing to permit examination of those responses if the parties are unable to reach an agreement. Accordingly, a hearing date should be established in this matter as soon as possible to ensure that such a hearing will be held if necessary.

6. Pursuant to 807 KAR 5:001, Section 4(6), Bracken District requests that the Commission issue subpoenas to the persons listed in Exhibit A to require their appearance at a scheduled hearing. Augusta has identified Mr. Padgett and Ms. England as persons who prepared responses to Commission Staff's and Bracken District's requests for information. Ms. Butts is the Augusta Water Treatment Plant Supervisor. Ms. Hendrix is the certified public accountant who audited Augusta's financial statements for fiscal years 2019 and 2020.

**WHEREFORE**, Bracken County Water District requests the Public Service Commission promptly issue an Order scheduling this matter for hearing and issue subpoenas to compel the appearance of the persons listed in Exhibit A at such hearing.

Dated: April 16, 2021

Respectfully submitted,

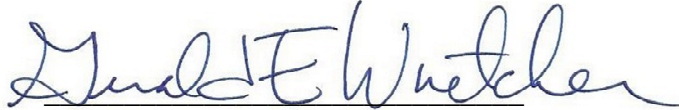


Gerald E. Wuetcher  
Stoll Keenon Ogden PLLC  
300 West Vine Street, Suite 2100  
Lexington, Kentucky 40507-1801  
Telephone: (859) 231-3017  
Fax: (859) 259-3517  
gerald.wuetcher@skofirm.com

*Counsel for Bracken County Water District*

**CERTIFICATE OF SERVICE**

In accordance with 807 KAR 5:001, Section 8, I certify that Bracken County Water District's electronic filing of this Motion is a true and accurate copy of the same document being filed in paper medium; that the electronic filing was transmitted to the Public Service Commission on April 16, 2021; that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding; and that within 30 days following the end of the state of emergency announced in Executive Order 2020-215 this Motion in paper medium will be delivered to the Public Service Commission.



Gerald E. Wuetcher

**EXHIBIT A**

**WITNESSES FOR WHOM A SUBPOENA IS REQUESTED**

Mr. Doug Padgett  
Operations Manager  
City of Augusta  
203 Ferry Street  
Augusta, KY 41002

Ms. Susan Butts  
Water Treatment Plant Supervisor  
City of Augusta  
203 Ferry Street  
Augusta, KY 41002

Ms. Gretchen England  
City Clerk  
City of Augusts  
219 Main Street  
Augusta, KY 41002

Ms. Donna J. Hendrix, CPA  
113 E. Electric Avenue  
Flemingsburg, KY 41041