

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

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| THE ELECTRONIC APPLICATION OF BLUEGRASS) | |
| WATER UTILITY OPERATING COMPANY, LLC) | Case No. |
| FOR AN ADJUSTMENT OF RATES AND APPROVAL) | 2020-00290 |
| OF CONSTRUCTION) | |

**Longview Homeowners Association, Inc.’s
Motion for Leave to Intervene**

Comes now Longview Homeowners Association, Inc. (“Longview HOA”), by counsel, pursuant to 807 KAR 5:001, Section 4(11), and other applicable law, and does hereby request leave to intervene in this docket, respectfully stating as follows:

1. Longview HOA is a non-stock, non-profit corporation with a principal business address of 3011 Fairway Court, Georgetown, Kentucky. Longview HOA is the homeowners association for the Longview neighborhood located in Scott County, Kentucky.

2. Through its corporate status, Longview HOA represents the interests and enforces the collective obligations of the approximately seventy-nine (79) homeowners who reside in the subdivision. In *Bailey v. Preserve Rural Roads of Madison County, Inc.*, 394 S.W.3d 350, 356 (Ky. 2010), the Kentucky Supreme Court stated, “[W]e have held that, at a minimum, to establish associational standing at least one member of the association must individually have standing to sue in his or her own right.” *Id.*, p. 356 citing *Com. ex rel. Brown v. Interactive Media Entertainment and Gaming Ass’n, Inc.*, 306 S.W.3d 32, 38 (Ky.2010). Each member of the Longview HOA has an interest in the rates charged for wastewater services and would, subject to the Commission’s discretion to grant intervention, independently have standing to participate

in this proceeding. Indeed, the Commission routinely recognizes the ability of an association (*e.g.* Sierra Club, Kentucky Industrial Utility Customers, Kentucky Solar Industries Association, etc.) to intervene in rate cases and construction cases on behalf of its members. The President of the Longview HOA is Ms. Valerie Crouch, whose personal email address is [REDACTED].

3. The Longview subdivision is serviced by a wastewater facility acquired by Bluegrass Water Utility Operating Company, LLC (“Bluegrass”) following Commission approval of the transfer in Case No. 2019-00104.¹ In fact, the Longview HOA is served by the same wastewater facility serving the Homestead subdivision. The Longview HOA’s special interest in this proceeding is therefore identical to that asserted by the Homestead Home Owners Association, Inc. (“Homestead HOA”) in its November 23, 2020 motion for leave to intervene. Longview HOA therefore adopts and incorporates said motion herein as if set forth in full.

4. Through counsel, Longview HOA is well-suited to thoughtfully and efficiently delve into the details of each of the issues raised in Homestead HOA’s motion to assist the Commission in developing a full record and protecting the interests of its members, especially on question regarding rate design.

WHEREFORE, on the basis of the foregoing, Longview HOA respectfully requests the Commission to grant it leave to intervene in this proceeding on behalf and award it any and all relief to which it or its members may be entitled.

This 23rd day of December 2020.

¹ See *In the Matter of the Electronic Proposed Acquisition by Bluegrass Water Utility Operating Company, LL and the transfer of Ownership and Control of Assets by P.R. Wastewater Management, Inc., Marshall County Environmental Services, LLC, LH Treatment Company, LLC, Kingswood Development Inc., Airview Utilities, LLC, Brocklyn Utilities, LLC Fox Run Utilities, LLC and Lake Columbia Utilities, Inc.*, Order, Case No. 2019-00104 (Ky. P.S.C. Aug. 14, 2019).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "D.S. Samford" followed by a stylized flourish.

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CERTIFICATE OF SERVICE

This will certify that the foregoing document was filed via the Commission's electronic filing system today. The undersigned hereby certifies that the electronic filing is a true and accurate copy of the documents being filed in paper medium; the electronic filing was transmitted to the Commission on December 23, 2020; there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; paper copies of this information will be hand-delivered to the Commission within thirty (30) days of the lifting of the present State of Emergency relating to the COVID-19 pandemic.



*Counsel for The Longview Homeowners
Association, Inc.*