

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

**ELECTRONIC TARIFF FILING OF)
BOONE COUNTY WATER DISTRICT) CASE NO. 2022-00101
TO REMOVE SUBDISTRICT A AND B)
SURCHARGES FROM ITS TARIFF)**

MOTION TO INCORPORATE MATERIALS BY REFERENCE

Pursuant to 807 KAR 5:001, Section 11(5), Boone County Water District moves that the records of Cases No. 2002-00085,¹ No. 2005-00291,² and No. 2010-00065³ be incorporated by reference into the record of this proceeding.

In support of its Motion, Boone County Water District states:

1. The current proceeding involves Boone County Water District's proposed discontinuance of its monthly surcharge of \$25 assessed to customers situated in the geographical area defined in its rate schedules as "Subdistrict B."

¹ *The Application of the County of Boone, Kentucky to the Kentucky Public Service Commission Requesting a Certificate of Convenience and Necessity for the Construction of a Public Water Distribution System in An Unserved Area of Southern Boone County*, Case No. 2002-00085 (Ky. PSC filed Mar. 15, 2002).

² *The Application of The County of Boone, Kentucky for (A) Issuance of a Certificate of Public Convenience and Necessity to Construct an Improvements Project to Serve Subdistrict B; (B) Authorization for Project Financing; and (C) Authorization to Adjust Rates*, Case No. 2005-00291 (Ky. PSC filed July 11, 2005).

³ *The Application of Boone County Fiscal Court and Boone County Water District for Transfer of Control of Water System; To Terminate an Existing Operation and Maintenance Agreement Between the Applicants; and Approval of Agreements Between the Boone County Fiscal Court and Boone County Water District and Kentucky Infrastructure Authority and Boone County Water District as Debt Instruments*, Case No. 2010-00065 (Ky. PSC filed Mar. 12, 2010).

2. In its order establishing this proceeding, the Public Service Commission (“Commission”) has questioned whether the proposed discontinuance of the surcharge is contrary to the Commission’s Order of May 11, 2010 in Case No. 2010-00065 as well as KRS 74.361 and KRS 74.363.⁴

3. In its requests for information, Commission Staff has sought information concerning the financial and operational arrangements between Boone County Fiscal Court and Boone County Water District that were initiated when Boone County Fiscal Court was authorized to construct certain water distribution facilities. These facilities were subsequently named for administrative purposes as “Subdistrict A” and “Subdistrict B.” The financial arrangements that were created to implement the transfer of these distributional assets to Boone County Water District have been subsequently reviewed and approved by the Commission.

4. The records of Cases No. 2002-00085, No. 2005-00291, and No. 2010-00065 provide a full and complete account of the parties’ intentions and actions. Incorporating these materials into the record of this proceeding will allow the Commission a more thorough and complete view of the transactions that led to the construction of the water distribution facilities that served the geographical areas

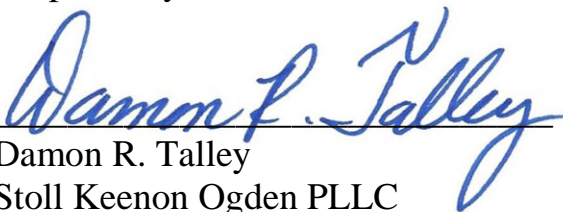
⁴ Order of Mar. 30, 2022 at 4.

known as “Subdistrict A” and “Subdistrict B” and the establishment of the monthly surcharge at issue in this proceeding.

WHEREFORE, Boone County Water District requests that the records of Cases No. 2002-00085, No. 2005-00291, and No. 2010-00065 be incorporated by reference into the record of this proceeding.

Dated: June 14, 2022

Respectfully submitted,



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CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, and the Public Service Commission's Order of July 22, 2021 in Case No. 2020-00085, I certify that this document was transmitted to the Public Service Commission on June 14, 2022 and that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding



Counsel for Boone County Water District