

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

In the Matter of:

Electronic Application of Water Service)
Corporation of Kentucky for a General) Case No. 2022-00147
Adjustment in Existing Rates and a Certificate)
of Public Convenience and Necessity to Deploy)
Advanced Metering Infrastructure and Approval)
Of Certain Regulatory Accounting Treatment)

MOTION TO EXCUSE WITNESSES OR TO TESTIFY VIRTUALLY

Water Service Corporation of Kentucky (“WSCK”), by counsel, moves the Public Service Commission of Kentucky (the “Commission”) for an order excusing two of its witnesses— Shawn EliceGUI and Patrick Baryenbruch —from participation in the evidentiary hearing scheduled for November 30, 2022 or, alternatively, to allow them to testify remotely. In support of this motion, WSCK states as follows:

WSCK submitted the written testimony of EliceGUI and Baryenbruch with its application filed on May 31, 2022. EliceGUI testified on how Corporate Support Services are provided to WSCK so that it can fulfill its statutory obligation to provide water service to its customers, how the costs associated with providing Corporate Support Services are allocated among Corix’s operating subsidiaries, and why the Corporate Support Services costs meet the standard for inclusion in WSCK’s revenue requirement. Baryenbruch provided detailed analysis on the reasonableness of the Corporate Support Services costs that are allocated to WSCK.

Intervenors City of Clinton and the Attorney General filed written testimony of their witnesses on October 12 and 13, 2022. None of the Intervenors’ witnesses challenge the subject

matter of Elicegui's and Baryenbruch's testimony. Accordingly, it appears that these witnesses' participation at the evidentiary hearing is not needed.

If the Commission believes that the witnesses' participation at the hearing is necessary to further develop the record of this case, WSCK respectfully requests an order authorizing their remote participation at the hearing. Elicegui has a Corix management meeting previously scheduled on the date of the hearing in Chicago, Illinois. Virtual participation at the hearing will enable Elicegui to participate in the management meetings. It will also eliminate certain rate-case expenses associated with Elicegui's travel to the Commission's offices. Similarly, WSCK would incur additional rate-case expense for Baryenbruch's time and travel to Kentucky from his home base in North Carolina.

WSCK acknowledges the Commission's prior ruling that remote participation at an evidentiary hearing may not be justified simply because a witness is stationed outside Kentucky.¹ WSCK submits that remote participation, if necessary, of Elicegui and Baryenbruch is also justified in this circumstance because (1) it will reduce rate case expense, (2) it will accommodate scheduling conflicts, and (3) the Intervenors do not challenge the testimony of Elicegui or Baryenbruch.

WHEREFORE, WSCK respectfully requests that the Commission excuse two of its witnesses— Shawn Elicegui and Patrick Baryenbruch —from participation in the evidentiary hearing scheduled for November 30, 2022 or, alternatively, to allow them to testify remotely.

¹ See *Kenergy Corp.*, Case No. 2021-00365 at 2 (Ky. PSC [Mar. 17, 2022](#)).

RESPECTFULLY SUBMITTED,
STURGILL, TURNER, BARKER & MOLONEY, PLLC



James W. Gardner

M. Todd Osterloh

Rebecca C. Price

333 West Vine Street, Suite 1500

Lexington, KY 40507

Phone: (859) 255-8581

E-mail: jgardner@sturgillturner.com

E-mail: tosterloh@sturgillturner.com

E-mail: rprice@sturgillturner.com

Counsel for Water Service Corporation of Kentucky