

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF)
MOUNTAIN WATER DISTRICT FOR A) CASE NO. 2022-00366
GENERAL ADJUSTMENT OF WATER)
RATES)

ELECTRONIC APPLICATION OF)
MOUNTAIN WATER DISTRICT FOR A) CASE NO. 2022-00367
GENERAL ADJUSTMENT OF SEWER RATES)

**WAIVER OF RIGHT TO HEARING AND
MOTION TO CANCEL SCHEDULED HEARING, SUBMIT MATTERS FOR
DECISION WITHOUT HEARING, AND EXPEDITE DECISION ON APPLICATIONS**

Mountain Water District (“Mountain District”) hereby waives its right to a hearing in the above-styled matters.

Pursuant to 807 KAR 5:001, Section 5(1), Mountain District further moves that: (1) the scheduled hearing in these matters be cancelled; (2) the record in these proceedings be closed; (3) these matters stand submitted for decision, except to permit the filing of final reports on rate case expenses no later than August 15, 2023; and (4) final decisions on its applications for rate adjustment be issued by October 2, 2023.

In support of its Motion, Mountain District states:

1. There are no intervenors in either of these matters.
2. Mountain District has filed an application in Case No. 2022-00366 consisting of approximately 740 pages and an application in Case No. 2022-00367 consisting of 673 pages.

3. In each proceeding, Commission Staff has served upon, and Mountain District has responded to, three extensive requests for information that cover every aspect of Mountain District's operations during the test period.

4. The existing record is well developed and more than adequate for the Commission to evaluate and render decisions upon Mountain District's applications for rate adjustment. Mountain District has extensively publicized the filing of its applications and the public has had a lengthy opportunity to comment on the proposed rates. A hearing in these matters, therefore, is unnecessary and rendition of decisions on the applications without a hearing will not materially affect or prejudice the rights of Mountain District or the public.

5. Dispensing with a hearing in these matters will result in significant savings in time and resources for Mountain District and the Commission and expedite final decisions in these matters.

6. If the Commission grants the motion to cancel the hearing, Mountain District requests that the record remain open only for the purpose of allowing the submission of final reports on rate case expenses no later than August 15, 2023.

7 Pursuant to the Commission's Orders of July 24, 2023 and 807 KAR 5:001, Section 9(2)(b)2, notice of the scheduled hearing must be published in the *Appalachian News-Express* no later than **August 9, 2023**. Mountain District must request publication no later than **August 4, 2023** to ensure timely publication of such notice. Accordingly, Mountain District requests that the Commission enter a decision on this motion **no later than noon, August 4, 2023** to avoid the unnecessary publication of such notice should this motion be granted.

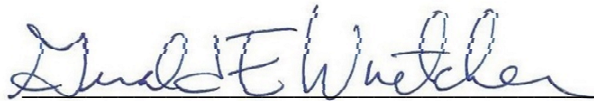
8. Mountain District further requests that the Commission expedite its review of the record and issue a final decision on Mountain District's applications **no later than October 2,**

2023. The flooding and other weather-related events that eastern Kentucky has experienced in the last year, as well as significant increases in the cost of parts and materials, electric power and fuel from inflation, has severely strained Mountain District's financial position. Mountain District estimates that without an increase in rates for its water and sewer service by that date, Mountain District will be unable to timely pay all its vendors and may be required to undertake extraordinary measures to continue operations.

WHEREFORE, Mountain District requests that: (1) a decision on this motion **no later than noon, August 4, 2023**; (2) the scheduled hearing in these matters be cancelled; (3) the record in this proceeding be closed; (4) these matters submitted for decision based upon the existing case record, except to permit the submission of a final report on rate case expenses; and (5) a final decision on the applications for adjustment of Mountain District's water and sewer rates be issued **no later than October 2, 2023**.

Dated: July 27, 2023

Respectfully submitted,

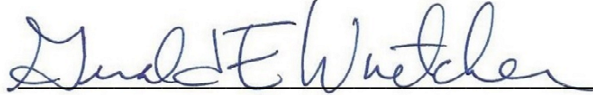


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Counsel for Mountain Water District

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8 and the 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 July 27, 2023 and that no parties have been excused from electronic filing procedures.

A handwritten signature in blue ink, appearing to read "Gerald E. Wetcher". The signature is written in a cursive style and is positioned above a horizontal line.

Counsel for Mountain Water District