

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

In the Matter of:

**ELECTRONIC APPLICATION OF)
BLUEGRASS WATER UTILITY)
OPERATING COMPANY, LLC FOR AN) Case No. 2022-00432
ADJUSTMENT OF SEWAGE RATES)**

**MOTION OF BLUEGRASS WATER UTILITY OPERATING COMPANY, LLC
FOR POTENTIAL REMOTE PARTICIPATION BY TWO WITNESSES AT HEARING**

1. Bluegrass Water Utility Operating Company, LLC (“Bluegrass Water”) pursuant to 807 KAR 5:001 Section 5 hereby moves the Kentucky Public Service Commission (the “Commission”) to permit two of its witnesses to participate remotely, if needed, at the September hearing. In support of this Motion, Bluegrass Water states as follows.

2. In an order dated May 18, 2023, the Commission ordered that “[W]itnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at the September 19, 2023–September 22, 2023 hearing.” Order ¶ 3 (May 18, 2023).

3. Two of Bluegrass Water’s witnesses, Dylan D’Ascendis and Timothy Lyons, have sponsored testimony in this matter, as well as responses to various data requests. *See* Application Ex. 6 (Direct Testimony of Dylan D’Ascendis) & Ex. 11 (Direct Testimony of Timothy Lyons).

4. Prior to entry of the Commission’s May 18, 2023 Order, Mr. D’Ascendis and Mr. Lyons were scheduled to testify on behalf of Northern Utilities, Inc. d/b/a Unitil at the Technical Conference on Rebuttal in front of the State of Maine Public Utilities Commission on Thursday, September 21 and Friday, September 22. *See* Case No. 2023-00051 (Me. Public Utilities Commission). In addition, Mr. D’Ascendis is scheduled to testify on behalf of Arizona Water Company at a hearing before the Arizona Corporation Commission beginning on September 18,

2023 and continuing through September 29, 2023. *See* Case No. W-01445A-0286 (Ariz. Corporation Commission).

5. Mr. D'Ascendis and Mr. Lyons are available to, and will, attend the hearing in this matter in person on September 19 and September 20. While Bluegrass Water intends to call these witnesses early in the presentation of its case in an effort to allow their testimony to be completed in-person on those dates, it is possible that there may be referred questions later in the hearing or other circumstances outside of Bluegrass Water's control that require their testimony after those dates. In such case, the witnesses would be available to testify remotely via videoconference or other suitable means, if necessary, on September 21 and/or 22, subject to their obligations before the State of Maine Public Utilities Commission and Arizona Corporation Commission, as applicable.

6. Accordingly, Bluegrass Water respectfully requests that the Commission permit Mr. D'Ascendis and Mr. Lyons to testify in person on September 19 and/or 20 and to permit Mr. D'Ascendis and Mr. Lyons to testify by videoconference, if necessary, on September 21 and/or September 22, due to their previously-scheduled appearances in front of other Commissions the same week as the hearing in this matter.

WHEREFORE, Bluegrass Water respectfully requests that the Commission permit Mr. D'Ascendis and Mr. Lyons to testify in person on September 19 and/or 20 and remotely via videoconference on September 21 and/or September 22, if necessary.

This the 12th day of June, 2023.

Respectfully submitted,

/s/ Edward T. Depp

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Certification

I hereby certify that a copy of this Motion has been served electronically on all parties of record through the use of the Commission's electronic filing system, and there are currently no parties that the Commission has excused from participation by electronic means. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, a paper copy of this filing has not been transmitted to the Commission.

/s/ Edward T. Depp

Counsel to Bluegrass Water