

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF BLUEGRASS)	
WATER UTILITY OPERATING COMPANY, LLC)	CASE NO.
FOR AN ADJUSTMENT OF SEWAGE RATES)	2022-000432

**SCOTT COUNTY’S RESPONSE TO
BLUEGRASS WATER UTILITY OPERATING COMPANY, LLC’S
MOTION FOR EXTENSION OF TIME TO RESPOND TO SCOTT COUNTY’S DATA
REQUESTS**

Comes now Scott County, Kentucky (“Scott County”), by and through counsel, and, under 807 KAR 5:001 Section 5(2), files its Response to Bluegrass Water Utility Operating Company, LLC’s (“Bluegrass Water”) Motion for Extension of Time. Scott County respectfully requests the Commission to deny Bluegrass Water’s Motion for Extension of Time or, if the Motion is granted, also grant Scott County an additional seven days to file its supplemental requests for information to Bluegrass Water.

1. As an initial matter, this is not a motion for an extension of time. This is more accurately framed as a motion for a reduction of time, as Bluegrass Water is attempting to reduce the time Scott County will have to review Bluegrass Water’s Responses to Scott County’s Initial Requests for Information and prepare supplemental requests for information to Bluegrass Water. Bluegrass Water cites no precedent for such relief.
2. Bluegrass Water takes issue with the timing of Scott County’s Initial Requests for Information. Despite knowing about Scott County’s potential intervention since at least April 21, 2023, and of the Commission’s April 14, 2023 Order of procedure,

Bluegrass Water is requesting an extension of time to May 19, 2023 to respond to Scott County's April 28, 2023 Initial Requests for Information. Scott County complied with all the Commission's due dates as required by its April 14, 2023 Order.

3. Scott County's Motion for full intervention was filed on April 14, 2023, well before the April 21, 2023 due date for such motions. That motion to intervene was granted on May 5, 2023. However, to preserve its right to submit initial requests for information to Bluegrass Water pursuant to the April 14, 2023 Order of procedure, Scott County submitted its Initial Requests for Information to Bluegrass Water on April 28, 2023, despite full intervention not yet being granted to Scott County. Bluegrass Water was well aware of Scott County's potential intervention, as it responded in opposition to that intervention on April 21, 2023.
4. Scott County appreciates Bluegrass Water's attempts to negotiate an agreement prior to filing this motion. Still, Bluegrass's proposal was untenable for Scott County due to the hardship and prejudice Scott County would suffer as a result of the proposed attenuated schedule.
5. As stated in its April 14, 2023 Order, "[t]he Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause."¹ For most of the requests and responses thereto, Scott County is amenable to the extension. However, Scott County reasonably anticipates needing two weeks to review responses to at least four (Nos. 5, 16, 18,

¹ Order (filed April 14, 2023) at 12.

and 19) of its Initial Requests for Information to allow Scott County and its expert sufficient time to review and supplement their requests prior to the May 26, 2023 due date. Otherwise, Scott County will suffer hardship and prejudice because of Bluegrass Water's delay.

6. If the Commission finds that Bluegrass Water has offered a showing of good cause and grants Bluegrass Water's Motion, Scott County respectfully requests that a concurrent extension be granted to it to extend the time to file its supplemental requests for information to Bluegrass Water from May 26, 2023 to June 2, 2023, and find that good cause exists for such extension to maintain the original timeline as set forth in the April 14, 2023 Order.

WHEREFORE, Scott County respectfully requests the Commission deny Bluegrass Water's Motion for Extension of Time or, if the Motion is granted, also grant Scott County an additional seven days to file its supplemental requests for information to Bluegrass Water.

Respectfully submitted,

/s/ Randal A. Strobo

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NOTICE AND CERTIFICATION FOR FILING

Undersigned counsel provides notice that the electronic version of the paper has been submitted to the Commission by uploading it using the Commission's E-Filing System on this 12th day of May, 2023, in conformity with the Commission's April 14, 2023 Order of procedure in the instant case. Pursuant to the Commission's Orders in Case No. 2020-00085, *Electronic Emergency Docket Related to Novel Coronavirus Covid-19*, the paper, in paper medium, is not required to be filed.

/s/ Randal A. Strobo

NOTICE AND CERTIFICATION CONCERNING SERVICE

No party has been excused from the electronic filing procedures in the instant proceeding.

/s/ Randal A. Strobo