

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF ESTILL)
COUNTY WATER DISTRICT NO. 1 FOR AN) **CASE NO. 2023-00371**
ADJUSTMENT OF ITS WATER RATES)
PURSUANT TO 807 KAR 5:076)

MOTION TO AMEND ORDER OF AUGUST 30, 2024

Pursuant to KRS 278.390 and KRS 278.400, Estill County Water District No. 1 (“Estill District” or “the District”) moves for an order to amend, *nunc pro tunc*, the Order of August 30, 2024 to remove references to the authorized Bulk Loading Station Rate from that Order and to approve the District’s proposal to delete that rate.

In support of its Motion, Estill District states:

1. On December 1, 2023, Estill District tendered its application for rate adjustment to the Commission. On December 6, 2023, the Commission’s Executive Director advised the District that its application failed to meet the filing requirements set forth in 807 KAR 5:076.
2. On December 15, 2023, Estill District submitted a Notice of Curing of Filing Deficiencies. In its submission, the District advised the Commission of the actions taken to correct the deficiencies noted in the Executive Director’s letter of December 6, 2023. The District further identified additional deficiencies in that application and the corrective actions taken. In the same filing, Estill District submitted a revised Schedule CPR that provided notice to the Commission that the District proposed “to eliminate its Bulk Loading Station Rate, which is currently \$0.00729 per gallon.” The District’s revised newspaper notice of its proposed rate filing, which was published three consecutive weeks in a newspaper of general circulation in Estill District’s

territory, contained the following statement: “Estill County Water District No. 1 further proposes to eliminate its Bulk Loading Station Rate, which is currently \$0.00729 per gallon.”

3. Estill District proposed the deletion of the Bulk Loading Station Rate because (a) its bulk loading station is no longer operational; (b) the District has received no customer requests for such service; (c) the District received no revenue from any bulk loading station during the test period and did not anticipate any revenue from such rate in the future; and (d) elimination of the rate will have no effect on the billing and revenue analyses submitted with the District’s application.

4. In its requests for information, Commission Staff did not request any information or question the request to eliminate the Bulk Loading Station Rate. In its report on the proposed rate adjustment, Commission Staff did not address the request to eliminate the Bulk Loading Station Rate. In developing its recommended rates, Commission Staff simply increased all existing rates approximately 17.29 percent to obtain its recommended 17.29 percent increase in revenue from water sales. Commission Staff provided no reasoning to support retention of the Bulk Loading Station Rate.

5. In its response to the Commission Staff report, Estill District failed to note that the Commission Staff’s recommendations did not address the request to eliminate the Bulk Loading Station Rate.

6. In its Order of August 30, 2024, the Commission did not note or discuss the District’s request to eliminate the Bulk Loading Station Rate and instead increased that rate to \$0.00857 per gallon. The lack of discussion suggests that the Commission had not been advised of the District’s request.

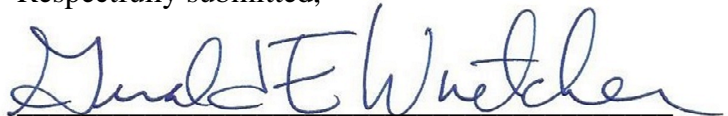
7. Amending the Order of August 30, 2024 to remove the Bulk Loading Station Rate of \$0.00857 per gallon and to authorize the deletion of the Bulk Loading Station Rate from the District's rate schedule will not affect the level of revenue generated by other rates authorized in that Order. If the Bulk Loading Station Rate is deleted, the remaining rates will still generate revenues from water sales of \$2,221,643 - the level of revenue that the Commission found reasonable based upon adjusted test period operations.

8. Estill District further requests that the removal of the Bulk Loading Station Rate from the Order of August 30, 2024 and the revision to authorize the deletion of the Bulk Loading Station Rate from the District's rate schedule be made effective as of August 30, 2024.

WHEREFORE, Estill District requests that the Commission amend its Order of August 30, 2024, *nun pro tunc*, to remove references to the Bulk Loading Station Rate of \$0.00857 per gallon from that Order and authorize the deletion of the Bulk Loading Station Rate from the District's rate schedule.

Dated: September 20, 2024

Respectfully submitted,

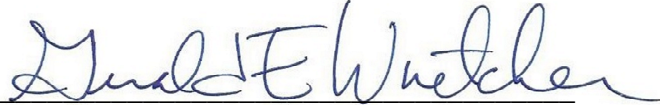


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Counsel for Estill County Water District No. 1

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 September 20, 2024 and that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding.

A handwritten signature in blue ink that reads "Gerald E. Wuetcher". The signature is written in a cursive style with a horizontal line underneath the name.

Gerald E. Wuetcher