

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

**In the Matter of:**

**Electronic Application of Bluegrass  
Water Utility Operating Company, LLC  
For an Adjustment of Water and  
Sewage Rates**

)  
)  
)  
)  
)  
)  
)

**Case No. 2025-00354**

**BLUEGRASS WATER UTILITY OPERATING COMPANY, LLC’S  
MOTION TO AMEND THE PROCEDURAL SCHEDULE**

Bluegrass Water Utility Operating Company, LLC (“Bluegrass Water” or the “Company”), by counsel, respectfully moves the Kentucky Public Service Commission (the “Commission”) to enter an Order adopting the procedural schedule set forth in the attached Exhibit A for the remainder of the above-styled proceeding and excusing all parties from the current procedural schedule set forth in the Order dated March 5, 2026. In support of this Motion, Bluegrass Water states as follows.

**I. Bluegrass Water’s Intent to File Amended Materials to Amend the Application.**

1. As indicated in its March 16, 2026 Motion for Informal Conference and further discussed during the Informal Conference on March 19, 2026, Bluegrass Water realized during the course of responding to the latest round of requests for information that there were certain errors contained in the financial workbook presented as Exhibit 9 to the Application. While the cause and the extent of the errors are still being examined by Bluegrass Water, Bluegrass Water believes the errors discovered are likely to affect the proposed rates.

2. Bluegrass Water is working diligently to rectify the identified errors and intends to supplement the record with corrected information, including, but not limited to, an updated financial workbook and updated responses to requests for information that were impacted by the

errors. Bluegrass Water anticipates that these filings will identify the changes made to the application materials and requests for information.

3. While Bluegrass Water has not yet determined the extent of the supplementation of the record that will be required and anticipates that much of the information provided thus far will not require supplementation, Bluegrass Water hereby stipulates that the Application will be amended as of the date of filing of the supplemental information correcting the record.

4. Bluegrass Water further stipulates and agrees that the proposed amendment to the Application will result in a restart of the time period in which the Commission must issue a decision pursuant to KRS 278.190(3) and the date on which Bluegrass Water may implement rates subject to refund pursuant to KRS 278.190(2), such that the time periods dictated by KRS 278.190(2) and (3) will be determined from the date the Application is amended by Bluegrass Water.

**II. The Intervening Parties Have No Objection to the Proposed Amended Procedural Schedule.**

5. To ensure that Commission Staff and the intervening parties have access to accurate information and can proceed with the benefit of the supplemental information that Bluegrass Water intends to file, Bluegrass Water hereby moves to amend the remainder of the procedural schedule as set forth in Exhibit A.

6. Following the Informal Conference on March 19, 2026, undersigned counsel conferred via email with counsel for the Office of the Attorney General (“OAG”) and counsel for Scott County.

7. Counsel for the OAG indicated there was no objection to the procedural schedule set forth in Exhibit A, provided the statutory deadlines in KRS 278.190 were changed, and counsel

for the OAG expressed no objection to continuing the case in the current docket as proposed in this Motion.

8. Counsel for Scott County similarly indicated there was no objection to the proposed procedural schedule in Exhibit A, provided that Scott County's stipulation to the proposed procedural schedule is not construed as an admission or waiver of any substantive aspect of the proceeding or any ability to file additional data requests consistent with any revised procedural schedule.

9. Bluegrass Water agrees with the clarifications noted by each of the OAG and Scott County.

10. Accordingly, Bluegrass Water respectfully requests that the Commission enter an Order adopting the proposed procedural schedule set forth in Exhibit A.

### **III. The Current Procedural Schedule and Required Deadlines Should be Vacated.**

11. In addition to adopting the procedural schedule set forth in Exhibit A, Bluegrass Water further requests that the Commission enter an Order vacating the current deadlines in the procedural schedule set forth in the Order dated March 5, 2026.

12. Specifically, Commission Staff served its Third Request for Information on March 19, 2026, and the OAG and Scott County have just served their second requests for information moments ago. The current procedural schedule provides that Bluegrass Water will respond to these requests by April 3, 2026.

13. As stated above, Bluegrass Water identified numerous errors contained in Exhibit 9, which contains a significant amount of the underlying financial information in support of its Application.

14. To prevent Commission Staff and the parties from performing work based on materials that Bluegrass Water has acknowledged needs correction, Bluegrass Water respectfully requests that the Commission deem the Commission Staff's March 19, 2026 Third Requests for Information and the OAG and Scott County's March 20, 2026 Supplemental Requests for Information withdrawn so that the Commission Staff, the OAG, and Scott County have the opportunity to first review the updated information to be provided by Bluegrass Water, including supplemental data request responses, before serving (new) supplemental requests for information on Bluegrass Water.<sup>1</sup>

15. Bluegrass Water respectfully submits that this will best serve all parties and will not result in any prejudice to any party because it will (i) avoid the overburdening of the record with responses to requests for information that are based upon materials Bluegrass Water has acknowledged will be amended, (ii) avoid the Commission Staff, the OAG, and Scott County reviewing responses that are based upon materials Bluegrass Water has acknowledged will be amended, and (iii) allow the Commission Staff, the OAG, and Scott County an opportunity to serve supplemental requests for information after having an opportunity to review the corrected information to be provided by Bluegrass Water.

#### **IV. Customer Notice**

16. Finally, Bluegrass Water requests that the Commission enter an Order determining that (i) if the amended and supplemental materials filed by Bluegrass Water result in the proposed rates increasing, Bluegrass Water shall be required to serve Customer Notice in compliance with

---

<sup>1</sup> To avoid confusion, Bluegrass Water suggests that any such withdrawn requests may simply be reincluded – as deemed appropriate in the sole judgment and discretion of the requester(s) – in the requests served pursuant to the new deadline for supplemental requests for information, albeit with reference to the updated Bluegrass Water information, where appropriate.

807 KAR 5:001 Section 17(2), and (ii) if the amended and supplemental materials filed by Bluegrass Water result in the proposed rates decreasing, Bluegrass Water shall not be required to serve additional Customer Notice.

17. Bluegrass Water acknowledges that if the proposed rates increase as a result of the amended and supplemental materials, Bluegrass Water's customers have a right to notice of such increase to proposed rates so that they may provide further public comment based upon the increased proposed rate.

18. However, because Bluegrass Water's customers have previously received two customer notices regarding this case, including notice of the right to file public comments or seek intervention, Bluegrass Water submits that the public interest would be best served by not requiring an additional customer notice if the proposed rates decrease, as it would only increase expense and potentially lead to customer confusion.

19. Accordingly, Bluegrass Water respectfully requests that the Commission enter an Order determining that (i) if the amended and supplemental materials filed by Bluegrass Water result in the proposed rates increasing, Bluegrass Water shall be required to serve Customer Notice in compliance with 807 KAR 5:001 Section 17(2), and (ii) if the amended and supplemental materials filed by Bluegrass Water result in the proposed rates decreasing, Bluegrass Water shall not be required to serve additional Customer Notice.

WHEREFORE, Bluegrass Water respectfully requests that the Commission enter an Order determining as follows:

1. Bluegrass Water's Application shall be amended as of the filing of its amended Application materials and supplemental data request responses as contemplated herein;
2. The existing procedural schedule shall be amended as set forth in Exhibit A;

3. The Commission Staff's March 19, 2026 Third Request for Information, the OAG's March 20, 2026 Supplemental Request for Information, and Scott County's March 20, 2026 Supplemental Request for Information shall be deemed withdrawn, and the Commission Staff, the OAG, and Scott County may refile or re-serve Requests for Information pursuant to the amended procedural schedule; and

4. If the amended and supplemental materials filed by Bluegrass Water result in the proposed rates increasing, Bluegrass Water shall be required to serve Customer Notice in compliance with 807 KAR 5:001 Section 17(2), and if the amended and supplemental materials filed by Bluegrass Water result in the proposed rates decreasing, Bluegrass Water shall not be required to serve additional Customer Notice.

This the 20th day of March, 2026.

Respectfully submitted,

*/s/ Edward T. Depp*

Edward T. Depp

R. Brooks Herrick

Hannah D. Thompson

**DINSMORE & SHOHL LLP**

101 South Fifth Street

Suite 2500

Louisville, KY 40202

502.540.2300

502.540.2529 (fax)

tip.depp@dinsmore.com

brooks.herrick@dinsmore.com

hannah.thompson@dinsmore.com

*Counsel to Bluegrass Water Utility*

*Operating Company, LLC*

**Certification**

I hereby certify that a copy of this filing 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 Utility*  
*Operating Company, LLC*