

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|---------------------------------|---|-------------------|
| ELECTRONIC INVESTIGATION |) | |
| INTO CITY OF ALBANY FOR |) | CASE NO. |
| ALLEGED ASSESSMENT OF AN |) | 2025-00390 |
| UNAPPROVED RATE FOR |) | |
| CUMBERLAND COUNTY WATER |) | |
| DISRICT |) | |

**JOINT MOTION FOR ACCEPTANCE OF SETTLEMENT,
DECISION ON WRITTEN RECORD,
AND
WAIVER OF RIGHT TO A HEARING**

By and through the undersigned counsel, and for their Joint Motion for Acceptance of Settlement, Decision on the Written Record, and Waiver of Right to a Hearing, Cumberland County Water District (“Cumberland District”) and the City of Albany, Kentucky (“Albany”), collectively the “Parties” or “Joint Movants” state the following:

1. On December 23, 2025, the Kentucky Public Service Commission (“Commission”) entered an Order opening this proceeding to determine to what extent Albany charged Cumberland District wholesale water rates that were greater than what was on file in Albany’s tariff, whether Albany should provide

a refund to Cumberland District, and to permit Albany to show cause why it should not be sanctioned pursuant to KRS 278.990 for violating KRS 278.160(2).¹

2. On January 12, 2026, Albany filed its Response to the allegations set forth in the Commission's opening Order.

3. On February 4, 2026, the Commission granted Cumberland District's motion for intervention and entered an Order adding Cumberland District as a party to this proceeding. There are no other intervenors in this proceeding.

4. Albany has filed a response and supplemental responses to one Request for Information propounded by Commission Staff and has responded to one Request for Information propounded by Cumberland District.

5. Cumberland District has filed into the record of this proceeding invoices for wholesale water service from Albany issued on January 24, 2026, and on February 24, 2026, as well as a statement setting forth the calculation of the overcharges appearing on those invoices.

6. The Commission ordered the Parties to participate in an informal conference with Commission Staff, which was held on April 10, 2026.

¹ Order at 3.

7. At the informal conference the Parties agreed to exercise good faith in attempting to negotiate a mutually agreeable settlement of the issue of a refund, the amount of any refund, and the form of payment of any refund.

8. The Parties, representing their differing interests and viewpoints, have negotiated a **complete and total** settlement of all issues raised in this proceeding and have agreed to a settlement amount of **\$130,461.58**, to be paid in **lump sum** by Albany to Cumberland District **within 30 days** of an Order by the Commission accepting the Settlement.

9. The Parties have executed a Joint Stipulation and Settlement Agreement, (“Settlement”), which is filed separately. The Settlement has been filed with supporting affidavits of the Parties’ principals and counsel.

10. It is the intent and purpose of the Parties to express their agreement on a mutually satisfactory resolution of **all issues** in this proceeding.

11. The Parties desire to have this matter decided upon the written record and **each waives its right** to a hearing.

12. The Parties understand that the Settlement is not binding upon the Commission, but believe it to be a fair, just, and reasonable resolution of all issues when viewed in its entirety.

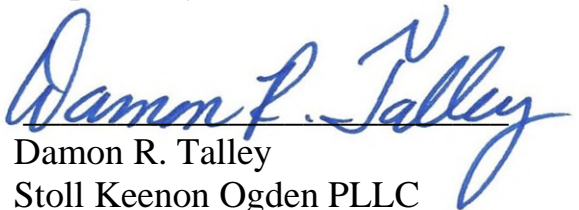
13. The Parties have devoted significant time and resources into negotiating the Settlement. The Commission’s granting this Motion will eliminate

the need for the Commission and the Parties to expend significant additional resources in litigation of the issues raised in this proceeding and will eliminate the possibility of and any need for rehearing or appeal of the Commission's final Order in this matter.

WHEREFORE, the Parties respectfully request that the Commission accept the Joint Stipulation and Settlement Agreement and enter an Order approving same.


Dated: June 3, 2026

Respectfully submitted,



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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 submitted electronically to the Public Service Commission on June 3, 2026, and that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding.

/s/ Tina C. Frederick
Tina C. Frederick