

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF HARDIN)	
COUNTY WATER DISTRICT NO. 1)	
TO MODIFY WATER UTILITY)	
TARIFF OF MASTER METERS)	CASE NO. 2009-00113
FOR BILLING MULTI-UNIT)	
RESIDENTIAL PROPERTIES)	

O R D E R

On March 16, 2009, Hardin County Water District No. 1 (“Hardin District”) filed an application to modify tariff provisions related to the metering of multi-unit residential properties. On May 13, 2009, the Commission granted intervention to a number of interested entities that would be affected by the tariff amendment. Having reviewed the record and being otherwise sufficiently advised, the Commission hereby finds that:

1. A formal procedural schedule should be established to reflect the schedule agreed to by the parties at the June 2, 2009 informal conference.
2. On July 13, 2009, Hardin District filed a request to extend the deadline by which its responses to Commission Staff’s data requests were due. The deadline initially agreed upon by the parties was July 14, 2009, and Hardin District requested an extension until July 28, 2009.
3. The proposed tariff, if approved, could affect the customer status of hundreds of current customers.

4. Hardin District caused to be published notice of the proposed tariff change in a newspaper circulating in the general area that the utility serves on March 15, 2009, March 22, 2009, and March 30, 2009.

5. The published notice of the proposed tariff states that “[t]he tariff change affects reactivation of master meters for billing multi-unit residential properties.”

6. Notice of the proposed tariff should be provided individually to customers who would most likely be affected if the proposed tariff is approved.

7. Customers who would most likely be affected if the proposed tariff is approved are the customers who live within the manufactured housing communities listed in Exhibit E to Hardin District’s Application.

IT IS HEREBY ORDERED that:

1. The procedural schedule set forth in the Appendix to this Order shall be followed.

2. Hardin District’s request for an extension to file responses to the information request is granted.

3. For any data requests issued by the Commission, Commission Staff, or parties, the respondents shall comply with the following:

a. Responses to requests for information shall be appropriately bound, tabbed, and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided;

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or

person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry;

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect; and

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

4. At any hearing in this matter, neither opening statements nor summarization of direct testimony shall be permitted.

5. 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.

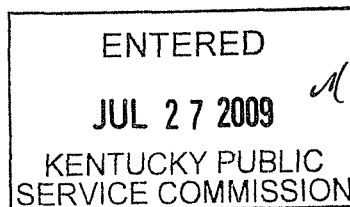
6. Service of any document or pleading shall be made in accordance with 807 KAR 5:001, Section 3(7), and Kentucky Civil Rule 5.02.

7. Within 20 days of the date of this Order, Hardin District shall mail or otherwise deliver an individual, written notice of this proceeding to each residential customer of the utility residing within the manufactured housing communities listed in Exhibit E of Hardin District's complaint. In addition to repeating the information provided in the published notice, the individual notice shall state, "If the proposed tariff is approved, manufactured housing community residents may no longer be customers of the water district. Instead, the community or its owner would become a customer of the water district, and all the community's residents would be served through a single

master meter for the entire property. After the change occurs, the residents would no longer receive a water bill from Hardin County Water District No. 1.”¹

8. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission



ATTEST:



Executive Director

¹ Hardin District is not prevented from being more elaborate in its description of the proposed tariff and how the proposal could affect these customers.

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2009-00113 DATED **JUL 27 2009**

Responses to the initial requests for information shall
be filed with the Commission and served upon all
parties of record no later than.....07/28/2009

All supplemental requests for information
shall be served upon the parties no later than08/18/2009

The parties shall file with the Commission and serve
upon all parties of record its responses to supplemental requests
for information no later than.....09/08/2009

An informal conference will be held at the Commission's
offices in Frankfort, Kentucky on To be announced

Public Hearing for the purpose of cross-examination
of witnesses of Hardin District and Intervenors will
begin at 10:00 a.m., Eastern Daylight Time, onTo be announced

Briefs, if any, shall be filed To be announced

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