

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY-)	CASE NO.
AMERICAN WATER COMPANY FOR AN)	2018-00358
ADJUSTMENT OF RATES)	

ORDER

On January 3, 2019, the Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General), filed a motion requesting to amend the procedural schedule in this proceeding. The procedural schedule was established by Order entered December 5, 2019, and subsequently amended on December 10, 2018, to correct a typographical error to reflect the deadline for intervention was December 28, 2018, and not December 29, 2018.

As a basis for the request, the Attorney General notes that there is an unprecedented number of rate cases pending before the Commission and that the various rate cases have overlapping procedural events. The Attorney General contends that the number of rate cases and overlapping procedural deadlines result in unduly burdensome deadlines for the Attorney General and his retained expert witness to meet in this proceeding. For example, the Attorney General asserts that the 12-day period between the intervention deadline and the deadline for submitting requests for information does not provide sufficient time for the Attorney General or his expert witness to diligently review the application and conduct discovery. The Attorney General explains that, while he rarely requests modifications of procedural schedules, the current conflicting deadlines require his extraordinary request.

The Attorney General proposes to extend the date for parties to submit requests for information to Kentucky-American Water Company (Kentucky-American) from January 10, 2019, to January 18, 2019; to extend the date for Kentucky-American to file its responses to the requests for information from January 25, 2019, to February 4, 2019; and to extend the date for the filing of intervenor testimony from March 8, 2019, to March 15, 2019.

The Attorney General states that the proposed amended schedule is acceptable to Kentucky-American.

Based upon a review of the motion and case record, the Commission finds that the Attorney General's motion should be granted in part and denied in part. The Commission finds that the request to amend the date for filing of intervenor testimony is reasonable and should be granted. Under the proposed amendment, the parties will have two weeks, or 10 business days, between the deadline for filing intervenor testimony and the March 29, 2019 deadline for submitting requests for information. Thus, permitting intervenors to file testimony on March 15, 2019, will allow for sufficient time for the parties to review the testimony and submit requests for information to intervenors.

The Commission further finds that the request to amend the dates for filing requests for information to Kentucky-American and for Kentucky-American to file its response is not reasonable, and therefore should be denied. Under the proposed amendment, the parties would not have sufficient time to review Kentucky-American's responses, and prepare and submit supplemental requests for information to Kentucky-American by the February 15, 2019 deadline for supplemental requests. This is especially so given current work load and competing deadlines and hearings in other rate cases.

IT IS THEREFORE ORDERED that:

1. The Attorney General's motion to amend the procedural schedule in this proceeding is granted in part and denied in part.

2. The Attorney General's request to amend the procedural schedule to extend the deadline for filing intervenor testimony to March 15, 2018, is granted.

3. The Attorney General's request to amend the procedural schedule to extend the deadline for filing requests for information to Kentucky-American from January 10, 2019, to January 18, 2019, and the deadline for Kentucky-American to file its responses from January 25, 2019, to February 4, 2019, is denied.

4. The deadline to file intervenor testimony in the Appendix to the December 5, 2018 Order is stricken and replaced with the following:

Intervenor testimony, if any, in verified prepared form,
shall be filed no later than03/15/19

5. All provisions of the December 5, 2018 Order that are not in conflict with the terms of this Order shall remain in effect.

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By the Commission

ENTERED
JAN 04 2019
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


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