

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC PROPOSED FILING OF GREEN	)	CASE NO.
RIVER VALLEY WATER DISTRICT TO AMEND	)	2020-00026
ITS TARIFF	)	

ORDER

On July 24, 2020, Green River Valley Water District (Green River Valley District) filed a motion for an extension of time to file its response to Commission Staff's Fifth Request for Information (Response to Staff's Fifth Request). This is Green River Valley District's second request for an extension of time to file its Response to Staff's Fifth Request. In support of its motion, Green River Valley District states it intends to file a motion to withdraw the proposed tariff revision that is the subject of this proceeding, and it is in the process of negotiating proposed settlement agreements in two related proceedings, Cases No. 2019-00258<sup>1</sup> and No. 2019-00375.<sup>2</sup> Further, Green River Valley District proposes to file its motion to withdraw and the offers of settlement no later than August 24, 2020. Green River Valley District states it is aware that the Commission requires its Response to Staff's Fifth Request to review these anticipated filings and proposes to file its Response on August 24, 2020. Finally, Green River Valley District states its request is made in good faith and not for the purposes of delay.

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<sup>1</sup> Case No. 2019-00258, *Stuart I. Gross, Sr. v. Green River Valley Water District*, (Ky. PSC filed June 11, 2019).

<sup>2</sup> Case No. 2019-00375, *Tracy Kay Sanders v. Green River Valley Water District*, (Ky. PSC filed Oct. 2, 2019).

The Commission has exclusive jurisdiction over the regulation of rates and service of utilities in Kentucky.<sup>3</sup> In the performance of its duties the Commission may investigate and examine the condition of any utility subject to its jurisdiction.<sup>4</sup> The Commission may also remove any water commissioner from his or her office for good cause, including failure to comply with rules, regulations, and orders issued by the Commission.<sup>5</sup> The Commission requires a complete and candid Response to Staff's Fifth Request from Green River Valley District to determine whether further investigation into the operation of Green River Valley District is necessary to ensure the District's customers are receiving adequate, efficient, and reasonable service as required by KRS 278.030(2), including water pressure at the regulatory minimum level of 30 psi.<sup>6</sup>

The Commission notes Green River Valley District has been on notice of potential problems maintaining adequate pressure on its system for over thirty years.<sup>7</sup> Further, in conjunction with approving numerous construction projects, the Commission has ordered

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<sup>3</sup> KRS 278.040(2).

<sup>4</sup> KRS 278.250

<sup>5</sup> KRS 74.025

<sup>6</sup> 807 KAR 5:066 Section 5(1).

<sup>7</sup> Case No. 8955, *The Application of Green River Valley Water District, Hart, Barren, LaRue, Green and Metcalfe Counties, Kentucky (1) for a Certificate of Public Convenience and Necessity Authorizing Said District to Construct Major Improvements and Additions to Its Existing Municipal Waterworks and Water Distribution System Pursuant to the Provisions of Chapter 74 of the Kentucky Revised Statutes; and (2) Seeking Approval of the Issuance of Certain Securities*, (Ky. PSC Hearing Transcript pages 11-17, Apr. 24, 1984). Testimony concerning hydraulic data indicating low water pressure in the vicinity of Magnolia, and on the suction side of the Three Springs pump station contributing to low water pressure for customers on Center Three Springs Road, or North 367; and Case No. 10193, *The Application of Green River Valley Water District, Hart, Barren, LaRue, Green and Metcalfe Counties, Kentucky (1) for a Certificate of Public Convenience and Necessity Authorizing Said District to Construct Major Improvements and Additions to Its Existing Municipal Waterworks and Water Distribution System Pursuant to the Provisions of Chapter 74 of the Kentucky Revised Statutes; and (2) Seeking Approval of the Issuance of Certain Securities*, (Ky. PSC Order, pages 2-3, June 17, 1988). The Commission recited the indications of the hydraulic data in this case as well as Case No. 8955, and reminded Green River Valley District of its obligation to provide adequate and reliable service to all of its customers.

Green River Valley District to monitor the adequacy of its system following construction. And if the level of service was found to be inadequate or declining or the pressure to any customer was outside the regulatory requirement, Green River Valley District shall take necessary actions to maintain the level of service in conformance with Commission regulations.<sup>8</sup> From the discovery conducted thus far in this case and from the filing of Case No. 2019-00258 and Case No. 2019-00375, it is apparent to the Commission that Green River Valley District has not monitored the adequacy of its system or taken the actions necessary to maintain adequate, efficient, and reasonable service. Following receipt of Green River Valley District's Response to Staff's Fifth Request and the other pleadings referenced in Green River Valley District's motion for an extension of time, the Commission will determine whether the actions proposed by Green River Valley District sufficiently address the deficiencies revealed in this case and the two related complaint cases, or if further action by the Commission is necessary.

Having considered Green River Valley District's motion and being otherwise sufficiently advised, the Commission finds good cause to grant Green River Valley

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<sup>8</sup> Case No. 1989-00094, *The Application of Green River Valley Water District, Hart, Barren, LaRue, Green and Metcalfe Counties, Kentucky (1) for a Certificate of Public Convenience and Necessity Authorizing Construction of Major Additions and Improvements to Its Water Distribution System; (2) Seeking Approval of Revised Water Service Rates and Charges; and (3) Seeking Approval of the Issuance of Certain Securities*, (Ky. PSC May 15, 1989); Case No. 1992-00340, *The Application of Green River Valley Water District, Hart, Barren, LaRue, Green and Metcalfe Counties, Kentucky (1) for a Certificate of Public Convenience and Necessity Authorizing Construction of Major Additions and Improvements to Its Water Distribution System; (2) Seeking Approval of Revised Water Service Rates and Charges; and (3) Seeking Approval of the Issuance of Certain Securities*, (Ky. PSC Sept. 9, 1992); Case No. 1995-00526, *The Application of Green River Valley Water District, Hart, Barren, LaRue, Green and Metcalfe Counties, Kentucky (1) for a Certificate of Public Convenience and Necessity Authorizing Construction of Major Additions and Improvements to Its Water Distribution System; (2) Seeking Approval of Revised Water Service Rates and Charges; and (3) Seeking Approval of the Issuance of Certain Securities*, (KY. PSC Dec. 20, 1995); and Case No. 1996-00563, *The Application of Green River Valley Water District, Hart, Barren, LaRue, Green and Metcalfe Counties, Kentucky (1) for a Certificate of Public Convenience and Necessity Authorizing Construction of Major Additions and Improvements to Its Water Distribution System; and (2) Seeking Approval of the Issuance of Certain Securities*, (Ky. PSC Dec. 20, 1996).

District's motion and to allow for an extension of time to August 24, 2020, to file its Response to Staff's Fifth Request. The Commission does not generally look favorably on requests for extensions of time and notes this is the second such request it has granted Green River Valley District in filing its Response to Staff's Fifth Request. The Commission exhorts Green River Valley District to use the extension of time to ensure that, when filed, its Response fully and completely addresses Staff's request.

IT IS THEREFORE ORDERED that:

1. Green River Valley District's motion for extension of time is granted.
2. Green River Valley District's Response to Staff's Fifth Request shall be filed on or before August 24, 2020.

By the Commission



ATTEST:

A handwritten signature in blue ink, consisting of stylized initials and a surname.

Acting Executive Director

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