

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF WEST)	CASE NO.
DAVISS COUNTY WATER DISTRICT FOR)	2020-00196
AN ALTERNATIVE RATE ADJUSTMENT)	

ORDER

On June 23, 2020, the Commission received West Daviess County Water District's (West Daviess District) application (Application) requesting to adjust its monthly water service rates pursuant to the procedures set forth in 807 KAR 5:076. The Commission finds that a procedural schedule should be established to ensure the orderly review of West Daviess District's Application.

All requests for intervention should be filed by August 17, 2020. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceedings which is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the commission in fully considering the matter without unduly complicating or disrupting the proceedings. Further, KRS 278.040(2) requires that a person seeking intervention have an interest in the rates or service of a utility, as those are the only matters that are subject to the Commission's jurisdiction.

The Commission further finds that any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not adequately presented or the issues and facts the person will present that will assist the

Commission in fully considering the matter. A mere recitation of the quantity of water consumed by the movant or a general statement regarding a potential impact of a possible modification of rates will not be deemed sufficient to establish a special interest.

Finding that a procedural schedule should be established to ensure the orderly review of West Daviess District's Application, IT IS THEREFORE ORDERED¹ that:

1. No later than October 5, 2020, Commission Staff shall file with the Commission and serve upon all parties of record a written report containing its findings regarding West Daviess District's requested rate adjustment.

2. No later than 14 days after the date of the filing of the Commission Staff Report, each party of record shall file with the Commission:

a. It's written comments on and any objections to the findings and recommendations contained in the Commission Staff Report; and

b. Any additional evidence for the Commission to consider.

3. If Commission Staff finds that West Daviess District's financial condition supports a higher rate than the district proposes or the assessment of an additional rate or charge not proposed in the district's Application, the district, in its responses to the Commission Staff Report, shall also state its position in writing on whether the Commission should authorize the assessment of the higher rate or recommend an additional rate or charge.

¹ No action is necessary to suspend the effective date of West Daviess County District's proposed rates for general water service. Pursuant to 807 KAR 5:076, Section 7(1), an applicant who applies for a rate adjustment pursuant to the procedures set forth in 807 KAR 5:076 may not place its proposed rates into effect until the Commission approves those rates or six months from the date the application is accepted for filing.

4. If Commission Staff recommends changes in the manner in which West Daviess District accounts for the depreciation of its assets, West Daviess District, in its response to the Commission Staff Report, shall also state its position in writing on whether the Commission should require the district to implement the proposed change for accounting purposes.

5. A party's failure to file written objections to a finding or recommendation contained in the Commission Staff Report within 14 days after the date of the filing of the Commission Staff Report shall be deemed as an agreement with that finding or recommendation.

6. If a party requests a hearing or informal conference, the party shall make the request in its written comments and state why a hearing or informal conference is necessary.

7. A party's failure to request a hearing or informal conference in the party's written response shall be deemed a waiver of all rights to a hearing on the application and a request that the case stand submitted for a decision.

8. A party's failure to file a written response within 14 days after the date of the filing of the Commission Staff Report shall be deemed a waiver of all rights to a hearing on the application.

9. Any motion to intervene shall be filed no later than August 17, 2020.

10. Any motion to intervene filed after August 17, 2020, shall show basis for intervention and good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

By the Commission



ATTEST:



Acting Executive Director

*Alan Vilines
Kentucky Rural Water Association
Post Office Box 1424
1151 Old Porter Pike
Bowling Green, KENTUCKY 42102-1424

*Mr. Keith J Krampe
West Daviess County Water District
3400 Bittel Road
Owensboro, KY 42301

*West Daviess County Water District
3400 Bittel Road
Owensboro, KY 42301

*William G Higdon
Manager
West Daviess County Water District
3400 Bittel Road
Owensboro, KY 42301