

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY-)	
AMERICAN WATER COMPANY TO AMEND)	CASE NO.
TARIFF TO REVISE QUALIFIED)	2021-00090
INFRASTRUCTURE PROGRAM CHARGE)	

ORDER

On March 26, 2021, Kentucky-American Water Company (Kentucky-American) submitted an application, pursuant to KRS 278.030, KRS 278.040, and the Commission's June 27, 2019 Order in Case No. 2018-00358,¹ to revise its Qualified Infrastructure Program (QIP) Rider to recover the costs of replacing or upgrading Kentucky-American's aging infrastructure. Consistent with the Commission's June 27, 2019 Order in Case No. 2018-00358, Kentucky-American proposed that the QIP Rider tariff rate become effective on July 1, 2021.

In the June 27, 2019 Order in Case No. 2018-00358, the Commission granted Kentucky-American the authority to file an annual QIP filing based on forecasted test-period expense with an annual reconciliation of projected and actual costs. Under the timeframe set forth in Case No. 2018-00358, Kentucky-American files the annual QIP applications no later than April 2 and the case is processed within a 90-day review period, which can be extended for good cause. While it appears that the Commission has sufficient time to conduct a thorough review prior to the July 1,

¹ Case No. 2018-00358, *Electronic Application of Kentucky-American Water Company for an Adjustment of Rates* (Ky. PSC June 27, 2019), final Order at 83.

2021 effective date for the QIP Rider, we reserve the right to extend the review period upon good cause.

The Commission finds that a procedural schedule should be established to review the reasonableness of the proposed QIP Rider. The procedural schedule is attached as an Appendix to this Order.

IT IS THEREFORE ORDERED that:

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

2. a. Responses to requests for information shall be appropriately bound, tabbed, and indexed, with the original and an electronic version to the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. Each response 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 an 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. A party shall make timely amendment to any prior response if it obtains information that indicates the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

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.

e. Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

f. Any party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that the personal information cannot be read.

3. Any party filing a paper with the Commission shall file an original in paper medium and an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. The original in paper medium shall be appropriately bound, tabbed, and indexed. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. The Commission directs the parties the Commission's March 16, 2020 and March 24, 2020 Orders in Case No. 2020-00085² regarding filings with the Commission. The Commission expects the original documents to be filed with the Commission within 30 days of the lifting of the current state of emergency.

4. 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)

² Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 16, 2020), Order at 5–6. Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 24, 2020), Order at 1–3.

a special interest in the proceeding 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 must 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. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts that the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service consumed by the movant or a general statement regarding a potential impact of possible modification of rates will not be deemed sufficient to establish a special interest. In addition, any motion to intervene filed after the date established in the procedural schedule in the Appendix shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

5. Kentucky-American shall give notice of a hearing, if any, in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time publication is requested, Kentucky-American shall forward a duplicate of the notice and request to the Commission.

6. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

7. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

8. The Commission does not look favorably upon motions for continuance. Accordingly, 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.

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

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By the Commission



ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2021-00090 DATED MAR 31 2021

Last day for intervention requests to be accepted.....	04/02/2021
All initial requests for information to Kentucky-American shall be filed no later than.....	04/09/2021
Kentucky-American shall file responses to initial requests for information no later than.....	04/16/2021
All supplemental requests for information to Kentucky-American shall be filed no later than	04/26/2021
Kentucky-American shall file responses to supplemental requests for information no later than	05/03/2021
Intervenor testimony, if any, in verified prepared form shall be filed no later than	05/07/2021
All requests for information to Intervenors shall be filed no later than.....	05/14/2021
Intervenors shall file responses to requests for information no later than.....	05/21/2020
Kentucky-American shall file, in verified form, its rebuttal testimony no later than	05/26/2021
Last day for Kentucky-American to publish notice of hearing.....	To be scheduled
Public Hearing to be held in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky, for the purpose of cross-examination of witnesses of Kentucky-American and Intervenors.....	To be scheduled
Post-Hearing Briefs, if any.....	To be scheduled

*Kentucky-American Water Company
2300 Richmond Road
Lexington, KY 40502

*Elaine K Chambers
Director, Rates and Regulatory
Kentucky-American Water Company
2300 Richmond Road
Lexington, KY 40502

*John Dillon
Kentucky-American Water Company
2300 Richmond Road
Lexington, KY 40502

*Honorable Lindsey W Ingram, III
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801