

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF ESTILL)	
COUNTY WATER DISTRICT NO. 1 FOR A)	
CERTIFICATE OF PUBLIC CONVENIENCE)	CASE NO.
AND NECESSITY FOR THE PURCHASE AND)	2021-00207
INSTALLATION OF METERING EQUIPMENT)	
AND AUTHORIZATION TO USE LOAN)	
PROCEEDS FOR PROPOSED PURCHASE)	

ORDER

The Commission reopens this matter for the purpose of ruling on Estill County Water District No. 1's (Estill District No. 1) June 29, 2021 motion to amend, pursuant to KRS 278.400 and 807 KAR 5:001, Section 5, requesting the Commission amend its Order entered on June 25, 2021, to expressly address its request to finance its project at issue in this matter using the remaining balance of \$1,379,030 from the Kentucky Infrastructure Authority (KIA) Loan F20-13,¹ which was approved by the Commission in Case No. 2021-00064.²

LEGAL STANDARD

Pursuant to KRS 278.400, a party may apply for a rehearing within 20 days after the service of the Order and the matters on which a rehearing is sought should be specified. The Commission finds that Estill District No. 1 has filed a timely motion and

¹ Application at 1.

² Case No. 2021-00064, *Electronic Application of Estill County Water District No. 1 for Authorization to Enter into an Assistance Agreement with the Kentucky Infrastructure Authority, for a Certificate of Public Convenience to Construct Certain Water Improvements and Authorization to Use Water Loss Control Program Surcharge Proceeds* (Ky. PSC Apr. 8, 2021).

stated the request for the Commission to address its request for express authorization to use \$1,379,030 of the proceeds of KIA Loan F20-13.

DISCUSSION

Estill District No. 1 explained in its motion to amend that in the April 8, 2021 Order in Case No. 2021-00064,³ the Commission authorized Estill District No. 1 to enter into an Assistance Agreement for KIA Loan F20-13 but authorized the use of only \$1,020,420 of the proceeds of that loan and limited the use of those proceeds to financing the replacement of certain stream crossings and the installation of a zone metering system.⁴ Estill District No. 1 explained that authorization to use the remaining \$1,379,030 of the loan proceeds for any other purpose was not granted.⁵ In the June 25, 2021 Order on this matter, Estill District No. 1 stated that while the Commission noted that Estill District No. 1 intended to finance the proposed equipment purchase and installation with the remaining proceeds of KIA Loan F20-13, it did not address Estill District No. 1's request for authorization to use those proceeds for that purpose.⁶

FINDINGS

Having reviewed the application, supporting materials, and being otherwise sufficiently advised, the Commission finds that:

1. This case should be opened for the purpose of the Commission ruling upon Estill District No. 1's June 29, 2021 motion to amend.

³ *Id.*

⁴ Motion to Amend at 1.

⁵ *Id.* at 2.

⁶ *Id.* at 2.

2. The Commission finds that Estill District No. 1's June 29, 2021 motion to amend is timely and the motion should be granted to clarify the Commission's finding on the issue of Estill District No. 1's request to finance its project at issue in this matter using the remaining balance of \$1,379,030 from the KIA Loan F20-13,⁷ which was approved by the Commission in Case No. 2021-00064.⁸

3. The Commission's June 25, 2021 Order should be amended to include the finding that Estill District No. 1's request to use the remaining balance of \$1,379,030 from the KIA Loan F20-13,⁹ which was approved by the Commission in Case No. 2021-00064,¹⁰ to finance the proposed equipment purchase and installation should be approved.

4. The Commission's June 25, 2021 Order should be amended to include an ordering paragraph that Estill District No. 1's request to use the remaining balance of \$1,379,030 from the KIA loan F20-13,¹¹ which was approved by the Commission in Case No. 2021-00064,¹² to finance the proposed equipment purchase and installation is approved.

IT IS THEREFORE ORDERED that:

⁷ Application at 1.

⁸ Case No. 2021-00064, *Estill County Water District No. 1*, (Ky. PSC Apr. 8, 2021).

⁹ Application at 1.

¹⁰ Case No. 2021-00064, *Estill County Water District No. 1*, (Ky. PSC Apr. 8, 2021).

¹¹ Application at 1.

¹² Case No. 2021-00064, *Estill County Water District No. 1*, (Ky. PSC Apr. 8, 2021).

1. This case shall be opened for the express purpose of the Commission ruling on Estill District No. 1's June 29, 2021 Motion to Amend.

2. The Commission's June 25, 2021 Order shall be amended to include the finding that Estill District No. 1's request to use the remaining balance of \$1,379,030 from the KIA Loan F20-13,¹³ which was approved by the Commission in Case No. 2021-00064,¹⁴ to finance the proposed equipment purchase and installation should be approved.

3. The Commission's June 25, 2021 Order shall be amended to include an ordering paragraph that Estill District No. 1's request to use the remaining balance of \$1,379,030 from the KIA Loan F20-13,¹⁵ which was approved by the Commission in Case No. 2021-00064,¹⁶ to finance the proposed equipment purchase and installation is granted.

4. All other provisions of the Commission's June 25, 2021 Order that are not in conflict with the terms of this Order shall remain in effect.

5. This case is closed and removed from the Commission's docket.

¹³ Application at 1.

¹⁴ Case No. 2021-00064, *Estill County Water District No. 1*, (Ky. PSC Apr. 8, 2021).

¹⁵ Application at 1.

¹⁶ Case No. 2021-00064, *Estill County Water District No. 1*, (Ky. PSC Apr. 8, 2021).

By the Commission



ATTEST:


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