

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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| ELECTRONIC TARIFF FILING OF THE CITY OF |) | |
| MANCHESTER REVISING ITS WHOLESALE |) | CASE NO. |
| WATER SERVICE RATES TO NORTH |) | 2022-00139 |
| MANCHESTER WATER ASSOCIATION |) | |

ORDER

On May 4, 2022, the city of Manchester (Manchester) filed with the Commission a revised tariff sheet setting forth a proposed increase to its existing wholesale water rates to North Manchester Water Association (North Manchester Water) effective June 5, 2022. Manchester's current monthly wholesale water rate to North Manchester Water is \$2.00 per 1,000 gallons. Manchester's proposal increases the wholesale water rate by \$0.50 per 1,000 gallons each year for the next four years and then by 13 percent each year for the next five years.

KRS 278.030 provides that a utility may collect fair, just and reasonable rates and that the service it provides must be adequate, efficient and reasonable. Having considered the proposed rate adjustment and being otherwise sufficiently advised, the Commission finds that an investigation will be necessary to determine the reasonableness of the proposed rate adjustment and that such an investigation cannot be completed by June 5, 2022. Pursuant to KRS 278.190, the Commission will, therefore, suspend the effective date of the proposed rates for five months, up to and including November 5, 2022.

The Commission finds that North Manchester Water, as a wholesale purchaser of Manchester, has a significant interest in this proceeding and should be served with a copy of this Order and presented an opportunity to intervene in this proceeding.

The Commission directs Manchester to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ in which the Commission mandated the use of electronic filing procedures listed in 807 KAR 5:001, Section 8. The Commission finds that electronic filing procedures should be used, consistent with the filing procedures set forth in Case No. 2020-00085.

The Commission further finds that a procedural schedule should be established to review the reasonableness of the proposed tariffs. The procedural schedule is attached hereto as an Appendix to this Order and is incorporated herein.

IT IS THEREFORE ORDERED that:

1. This proceeding is established to investigate the reasonableness of Manchester's proposed wholesale water rate increase to North Manchester Water.
2. The proposed tariff is suspended for five months from June 5, 2022, up to and including November 4, 2022.
3. Manchester shall, by counsel, enter an appearance in this proceeding within seven days of the date of entry of this Order. The entry of appearance shall include the name, address, telephone number, fax number, and electronic mail address of counsel.

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file original physical copies of the filings required by 807 KAR 5:001, Section 8).

4. Unless otherwise ordered by the Commission, the procedures set forth in 807 KAR 5:001, Section 8, related to service and electronic filing of papers shall be followed in this proceeding.

5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, Manchester shall file by electronic means a written statement that they waive any right to service of Commission Orders by United States mail and that they or their authorized agents possess the facilities to receive electronic submissions.

6. Unless a party granted leave to intervene states its objection to the use of electronic filing procedures in a motion for intervention, the party shall:

a. Be deemed to have consented to the use of electronic filing procedures and the service of all papers, including Orders of the Commission, by electronic means; and

b. Within seven days of the date of entry of an Order of the Commission granting intervention, file with the Commission a written statement that:

(1) It or its authorized agent possesses the facilities to receive electronic transmissions; and

(2) Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.

7. If a party objects to the use of electronic filing procedures and the Commission determines that good cause exists to excuse that party from the use of electronic filing procedures, service of documents on that party and by that party shall be made in accordance with 807 KAR 5:001, Section 4(8).

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

9. 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 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 rate 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 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 the potential impact of possible modification of rates will not be deemed sufficient to establish a special interest. In addition, any motion to intervene after the date established in the procedural schedule 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.

10. Manchester shall give notice of the hearing in accordance with the provision set forth in 807 KAR 5:001, Section 9(2). In addition, the notice of the hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov"; and "Public comments may be made at the beginning

of the hearing. Those wishing to make oral public comments may do by following the instructions listed on the PSC website, psc.ky.gov.” At the time publication is requested, Manchester shall forward a duplicate of the notice and request to the Commission.

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

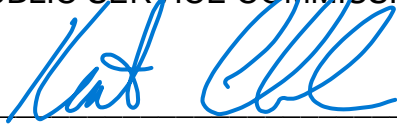
12. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

13. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of times with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

14. The Executive Director shall serve a copy of this Order on North Manchester Water.

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

PUBLIC SERVICE COMMISSION



Chairman

Vice Chairman

Commissioner



ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00139 DATED MAY 25 2022

- Requests for intervention shall be filed no later than 06/13/2022
- Initial requests for information to Manchester shall be filed no later than 06/20/2022
- Manchester shall file responses to initial requests for information no later than.....07/08/2022
- All supplemental requests for information to Manchester shall be filed no later than 07/22/2022
- Manchester shall file responses to supplemental requests for information no later than08/05/2022
- Intervenor Testimony, if any, in verified prepared form shall be filed no later than..... 08/12/2022
- All requests for information to Intervenors shall be filed no later than..... 08/26/2022
- Intervenors shall file responses to requests for information no later than..... 09/09/2022
- Manchester shall file, in verified form, its rebuttal Testimony no later than..... 09/16/2022
- Manchester or any Intervenor shall request either a hearing or that the case be submitted for decision based on the record no later than.....09/23/2022

*City of Manchester
123 Town Square
Manchester, KY 40962

*Mike White
City of Manchester
123 Town Square
Manchester, KY 40962