

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF HARRISON)	CASE NO.
COUNTY WATER ASSOCIATION, INC. FOR AN)	2023-00154
ALTERNATIVE RATE ADJUSTMENT)	

ORDER

On October 11, 2023, Harrison County Water Association (Harrison Water) filed a motion for Commission Staff to reconsider the recommendations in Commission Staff's Report, issued on September 28, 2023. For the reasons discussed below, the Commission finds that the motion for reconsideration should be denied as moot and the motion deemed comments filed in response to Commission Staff's Report pursuant to 807 KAR 5:076, Section 11(3), and the amended procedural schedule issued on September 8, 2023.

As a threshold issue, KRS 278.400 states that "[a]fter a determination has been made by the **commission**" a party to the proceedings may request rehearing or reconsideration "within twenty (20) days after the service of the **order**." [Emphasis added.] Here, Harrison Water seeks reconsideration of recommendations made by Commission Staff, not a determination made by the Commission. Further, the recommendations were contained in Commission Staff's Report, not an order issued by the Commission. Because the threshold legal standard for reconsideration under KRS 278.400 has not been met, the Commission finds that the motion for reconsideration should be denied as moot. The Commission further finds that because Harrison Water filed a separate


response to Commission Staff's Report, the motion should be treated as a supplemental written response to Commission Staff's Report pursuant to 807 KAR 5:076, Section 3.


IT IS THEREFORE ORDERED that:

1. Harrison Water's motion for reconsideration is denied.
2. Harrison Water's motion for reconsideration is deemed a supplemental written response to Commission Staff's Report.

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PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ENTERED
OCT 30 2023
rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director *FWL*

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