

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF NORTH)	CASE NO.
MERCER WATER DISTRICT FOR A RATE)	2023-00185
ADJUSTMENT PURSUANT TO 807 KAR 5:076)	

ORDER

On December 27, 2023,¹ North Mercer Water District (North Mercer District) filed an application with the Commission, pursuant to 807 KAR 5:076, requesting an adjustment to its water rates.² The Commission established a procedural schedule by Order dated January 12, 2024, and amended by Order dated April 10, 2024, that, among other things, requires Commission Staff to file with the Commission and serve upon all parties of record a written report (Commission’s Staff Report) containing its findings and recommendations regarding North Mercer District’s requested water rate adjustment, no later than May 28, 2024.

¹ North Mercer District tendered its application on June 12, 2023, using the wrong test year. By letter dated June 28, 2023, the Commission rejected the application for filing deficiencies. On July 20, 2023, North Mercer District filed a response requesting a deviation from the test year requirement or an extension of time to resubmit an amended application. By Order dated September 12, 2023, the Commission denied the request for a deviation and granted the request for additional time to submit an amended application using the correct test year. North Mercer District tendered its amended application on December 14, 2023. By letter dated December 18, 2023, the Commission rejected the application for filing deficiencies. The deficiencies were subsequently cured, and the application is deemed filed on December 27, 2023.

² Pursuant to 807 KAR 5:076, Section 7(2), if the Commission has not issued an order after six months from the date an alternative rate filing, the application is deemed filed and the utility may place the proposed rates into effect, subject to refund, pending the Commission’s order upon filing written notice with the Commission of its intent to do so. Otherwise, an applicant using the alternative rate filing procedure may not place the proposed rates into effect until the Commission has issued an order approving the rates. 807 KAR 5:076, Section 7(1).

Due to unredacted confidential material required to be pulled from public record and refiled pursuant to Section 13 of 807 KAR 5:001, the Commission, on its own motion, finds that the procedural schedule established on January 12, 2024, and amended on April 10, 2024, should be amended to afford Commission Staff additional time to prepare and file the Commission Staff's Report and cite to the appropriate refiled redacted record. Specifically, the Commission finds that the date for filing the Commission Staff's Report should be extended to June 13, 2024.

After Commission Staff's Report is filed on or before the amended deadline of June 13, 2024, North Mercer District will have 14 days to file a written response to Commission Staff's Report.³ If North Mercer District does not file written objections to a finding contained in Commission Staff's Report within 14 days after the date of the filing of Commission Staff's Report, it shall be deemed a waiver of all objections to that finding.⁴

IT IS THEREFORE ORDERED that:

1. The procedural schedule established on January 12, 2024, and amended on April 10, 2024, is amended.
2. Commission Staff's Report shall be filed no later than June 13, 2024.
3. North Mercer District shall file its written response, if any, to Commission Staff's Report within 14 days of the filing of the Commission Staff's Report.
4. All provisions of the Commission's January 12, 2024 Order and April 10, 2024 Amended Order that are in conflict with the provisions of this Order are vacated,

³ 807 KAR 5:076, Section 11(3)(a).

⁴ 807 KAR 5:076, Section 11(3)(c).

and all other provisions not in conflict with the provisions of this Order shall remain in effect.

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PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ENTERED
MAY 24 2024 rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


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