

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC MOUNTAIN WATER DISTRICT)	
UNACCOUNTED-FOR WATER LOSS)	CASE NO.
REDUCTION PLAN, SURCHARGE AND)	2023-00351
MONITORING)	

ORDER

On March 6, 2026, Mountain Water District (Mountain District) filed a motion for leave to file a response to the Commission’s Order of February 21, 2025, out of time (Motion).

The Order issued by the Commission on February 21, 2025, authorized Mountain District to use water loss surcharge funds to pay the wages and benefits of a new two-employee leak detection crew and directed Mountain District to submit “documentation as to the salary and benefits for each employee within 30 days of the initial hiring date and then subsequently thereafter by January 30th of each year.”¹

In its Motion, Mountain District stated it failed to submit the required documentation by January 30, 2026.² Mountain District asserted this failure was neither deliberate nor intentional, and in its effort to meet other pressing commitments, primarily the need to respond to requests for information in its current rate proceeding, personnel lost track of the filing deadline.³ Mountain District stated the failure to meet the January 30, 2026 filing

¹ Order (Ky. PSC Feb. 21, 2025) at 9.

² Motion for Leave to File Response Out of Time (Motion) (filed Mar. 6, 2026) at 1.

³ Motion at 1.

deadline was only recently recognized, and it has put into place a process to ensure that the requirement will be timely met in the future, with the general manager now personally tracking the requirement to ensure compliance.⁴

In addition to the motion for leave, on March 6, 2026, Mountain District filed its response to Order of February 21, 2025, providing the required information regarding employee salary and benefits.⁵ In its Motion, Mountain District requested that the Commission accept its response to the Commission's Order of February 21, 2025.⁶

The Commission finds that Mountain District's request to file its response to the Commission's Order of February 21, 2025, out of time should be granted. The Commission finds that good cause exists to grant the extension as Mountain District acknowledged the failure within a short time of the required response and requested approval to file the response out of time. Mountain District has also submitted detailed documentation regarding employee salaries and benefits in its monthly surcharge reports to verify surcharge expenditures related to employee salary and benefits, and the late submission of its response has not adversely affected the Commission's ability to monitor Mountain District's expenditure of surcharge proceeds.

IT IS THEREFORE ORDERED that:

1. Mountain District's Motion is granted.
2. Mountain District's Response to Order of February 21, 2025, is accepted for filing as of March 6, 2025.


⁴ Motion at 1.

⁵ Response to Order of February 21, 2025 (filed Mar. 6, 2026).

⁶ Motion at 2.

Entered on this 8th day of April, 2026.


PUBLIC SERVICE COMMISSION



Angie Hatton
Chairman



Mary Pat Regan
Commissioner



Andrew W. Wood
Commissioner

ATTEST:

 RP

Linda C. Bridwell, PE
Executive Director

Case No. 2023-00351

Service List for 2023-00351

* Gerald E Wuetcher
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KY 40507-1801

* Mountain Water District
6332 Zebulon Highway
P. O. Box 3157
Pikeville, KY 41502-3157

* Mountain Water District
Mountain Water District
6332 Zebulon Highway
P. O. Box 3157
Pikeville, KY 41502-3157

* Tammy Olson
Mountain Water District
P. O. Box 3157
Pikeville, KY 41502