

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF ESTILL)	CASE NO.
COUNTY WATER DISTRICT NO. 1 FOR A RATE)	2023-00371
ADJUSTMENT PURSUANT TO 807 KAR 5:076)	

ORDER

On May 17, 2024, Estill County Water District #1 (Estill District #1) filed a motion for extension of time¹ pursuant to 807 KAR 5:076, Section 16, and 807 KAR 5:001, Section 5, requesting an additional seven days to submit its written response to Commission Staff's Report. In its motion, Estill District #1 stated the motion was filed pursuant to the Commission's April 25, 2024 Order² that directed Estill District #1 to file its written response to the Commission Staff's Report no later than 14 days after the date of filing of the Commission Staff's Report.³ The Commission Staff's Report was filed on May 14, 2024, therefore, Estill District #1 would need to file its written response on or before May 28, 2024.⁴

As grounds for the motion, Estill District #1 stated that counsel for the utility will be on vacation from May 19 through May 27, 2024, and to ensure a thorough and adequate

¹ Motion for Extension of Time (filed May 17, 2024), paragraph 3.

² Order (Ky. PSC Apr. 25, 2024).

³ Motion for Extension of Time, paragraph 1.

⁴ Commission Staff's Report.

response to the Commission Staff's Report, Estill District #1 requested an additional seven days to respond to the Commission Staff's Report.⁵

Although the Commission's April 25, 2024 Order directed⁶ Estill District #1 to file its written responses to the Commission Staff's Report within 14 days of the filing of the Commission Staff's Report, the requirement for each party to file a written response within 14 days of the filing of the Commission Staff's Report is required by administrative regulation 807 KAR 5:076, Section 11(3)(a). As such, Estill District #1's request would be more appropriately made as a motion for deviation pursuant to 807 KAR 5:076, Section 17, which states, "Upon a showing of good cause, the commission may permit a deviation from this administrative regulation. Requests for deviation shall be submitted in writing by letter to the commission." Nevertheless, the Commission will interpret Estill District #1 request as a motion for deviation from the requirements of 807 KAR 5:076, Section 11(3)(a).

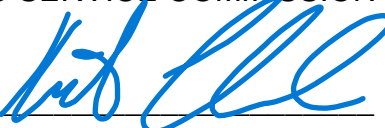
As such, the Commission finds that Estill District #1 timely submitted its motion for deviation in writing and established good cause to deviate from 807 KAR 5:076, Section 11(3)(a), because counsel for the utility will be on vacation from May 19 through May 27, 2024. Therefore, the motion for deviation is granted.

IT IS HEREBY ORDERED that Estill District #1's motion for deviation from the requirements of 807 KAR 5:076, Section 11(3)(a), is granted and Estill District #1 shall file its written response to the Commission Staff's Report on or before June 4, 2024.

⁵ Motion for Extension of Time, paragraphs 2-3.

⁶ Order (Ky. PSC Apr. 25, 2024) at 2 and ordering paragraph 4.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

ENTERED
MAY 24 2024 rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

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