

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF POWELL'S)	CASE NO.
VALLEY WATER DISTRICT FOR A RATE)	2023-00387
ADJUSTMENT PURSUANT TO 807 KAR 5:076)	

ORDER

On January 10, 2024,¹ Powell's Valley Water District (Powell's Valley District) filed an application with the Commission, pursuant to 807 KAR 5:076, requesting an adjustment to its water and sewer rates.² The Commission established a procedural schedule by Order dated February 5, 2024, that, among other things, requires Commission Staff to file with the Commission and serve upon all parties of record a written report (Commission Staff's Report) containing its findings and recommendations regarding Powell's Valley District's requested water and sewer rate adjustment, no later than May 21, 2024. On April 22, 2024, Commission Staff issued a Third Request for Information (Staff's Third Request), with a required response date no later than April 30, 2024.³ Powell's Valley District did not respond to all requests for information by April 30,

¹ Powell's Valley District filed its application on January 10, 2024, and was deemed filed on that date after the Commission granted a deviation from the requirements of 807 KAR 5:076, Section 5(2)(b)(3) on January 24, 2024.

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).

³ Commission Staff's Third Request for Information to Powell's Valley Water District (Ky. PSC Apr. 22, 2024).

2024, as ordered in Staff's Third Request. Powell's Valley District stated in one of the responses that, "The district is still reviewing the billing information. We will have it by May 3, 2024, and send it in."⁴ On May 16, 2024, Powell's Valley District filed its response to Staff's Third Request.

Due to the delay in filing by Powell's Valley District, the Commission, on its own motion, finds that the procedural schedule established on February 5, 2024, should be amended to afford Commission Staff additional time to review Powell's Valley submission and prepare the Commission Staff's Report. Specifically, the Commission finds that the date for filing the Commission Staff's Report should be extended to June 14, 2024.

After Commission Staff's Report is filed on or before the amended deadline of June 14, 2024, Powell's Valley District will have 14 days to file a written response to Commission Staff's Report.⁵ If Powell's Valley 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.⁶

IT IS THEREFORE ORDERED that:

1. The procedural schedule established on February 5, 2024, is amended.
2. Commission Staff's Report shall be filed no later than June 14, 2024.
3. Powell's Valley 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 Powell's Valley District's Response to Commission Staff's Third Request for Information (filed Apr. 30, 2024), Item 2, at 3.

⁵ 807 KAR 5:076, Section 11(3)(a).

⁶ 807 KAR 5:076, Section 11(3)(c).

4. All provisions of the Commission's February 5, 2024 Order that are in conflict with the provisions of this Order are vacated, and all other provisions not in conflict with the provisions of this Order shall remain in effect.

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PUBLIC SERVICE COMMISSION

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Off
Vice Chairman

May Pat Regan
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ENTERED
MAY 21 2024 bsb
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