

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF BLUEGRASS)	
WATER UTILITY OPERATING COMPANY, LLC)	
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY FOR THE INSTALLATION OF A)	CASE NO.
DRAIN FIELD AT THE MARSHALL RIDGE)	2024-00170
SYSTEM OR AN ORDER DECLARING THE)	
INSTALLATION IS AN EXTENSION IN THE)	
ORDINARY COURSE OF BUSINESS)	

ORDER

On January 14, 2025, Bluegrass Water Utility Operating Company, LLC (Bluegrass Water) filed a motion asking for a 20-day extension to February 3, 2025, to request a hearing or request a decision on the record in this case. Regarding to a public hearing, Bluegrass Water’s motion stated that it did not “anticipate requesting a public hearing,” instead Bluegrass Water attempted to reserve “the right to do so pending its assessment of the new information filed.”¹ The Commission previously granted a 60-day extension of the deadline to make such a request by Order dated December 4, 2024, moving the deadline to January 14, 2025. Bluegrass Water stated in the present motion that Paducah McCracken County Joint Sewer Agency (JSA) has indicated an interest in connecting one or more of the neighborhoods serviced by Bluegrass Water, and Bluegrass Water is awaiting a substantive response from JSA regarding the proposed drain field that is the subject of the Certificate of Public Convenience and Necessity (CPCN) application in this

¹ Bluegrass Water’s Motion for Brief Extension of Time (filed Jan. 14, 2025) at PDF unnumbered page 2.

case.² Bluegrass Water also indicated that JSA's plans may require Bluegrass Water to alter its proposal.³ JSA may be able to require Marshall Ridge customers to connect to its sewer system under local ordinance.⁴

Having reviewed the motion and record in this case, the Commission finds that Bluegrass Water's motion for an extension of time should be denied, and this case should be submitted on the record for a decision. If Bluegrass Water were to request a hearing on February 3, 2025, the Commission would be unable to accommodate a hearing, potential post-hearing requests for information, and issue a final order by March 8, 2025, which is the statutory deadline for the Commission to issue a final order pursuant to KRS 278.019. Furthermore, material facts pertaining to this case may change between now and the statutory deadline based on decisions made by JSA, over which Bluegrass Water has no control, and which would further complicate the Commission's ability to issue a final order that analyzes all facts and circumstances pertinent to the CPCN application. As material facts in this matter may change between now and the statutory deadline, questions of whether the application or the record in this matter are complete. In cases with a statutory deadline, incomplete applications or administrative records are considered by the Commission and may be denied if the applicant has failed to meet its burden of proof. Accordingly, nothing in this Order should be construed to prevent

² Bluegrass Water's Motion for Brief Extension of Time at PDF unnumbered page 1.

³ Bluegrass Water's Motion for Brief Extension of Time at PDF unnumbered page 2.

⁴ See McCracken County Code of Ordinances Chapter 34 § 34.22.

Bluegrass Water from seeking to amend its application or withdraw its application and refile later, either of which would reset the statutory deadline.⁵

IT IS THEREFORE ORDERED that:

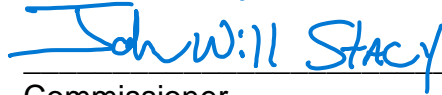
1. Bluegrass Water's motion for an extension of the deadline to request a hearing or request a decision on the record in this case is denied.
2. The case is hereby submitted on the record for a decision.
3. The Commission shall issue a final order in this case on or before March 8, 2025, unless Bluegrass Water files a notice of withdrawal of its application or a motion to amend its application.

⁵ See 807 KAR 5:001, Section 3(5).

PUBLIC SERVICE COMMISSION



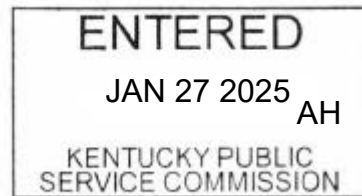
Chairman



Commissioner



Commissioner



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