

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF CRITTENDEN- LIVINGSTON COUNTY WATER DISTRICT FOR AN ALTERNATIVE RATE FILING PURSUANT TO 807 KAR 5:076	) ) ) )	CASE NO. 2024-00278
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ORDER

On January 9, 2025, Crittenden-Livingston County Water District (Crittenden-Livingston District) tendered its amended application<sup>1</sup> to the Commission requesting an adjustment to its water rates pursuant to 807 KAR 5:076, alternative rate adjustment procedure for small utilities, and requesting a deviation from 807 KAR 5:076 Section 5(4).<sup>2</sup>

LEGAL STANDARD

Commission regulation 807 KAR 5:076 establishes a simplified process for small utilities to use to request rate adjustments, with the process designed to be less costly to the utility and the utility ratepayers.<sup>3</sup> Section 5(4)<sup>4</sup> outlines the notice content requires for a utility filing an application seeking an alternative rate adjustment pursuant to 807 KAR

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<sup>1</sup> Application (tendered Nov. 12, 2024).

<sup>2</sup> Crittenden-Livingston District tendered its application on November 12, 2024. By letter dated November 14, 2024, the Commission rejected the application for filing deficiencies and gave Crittenden-Livingston District ten days to cure the deficiencies. Crittenden-Livingston District filed its amended application and request for deviation on January 9, 2025, outside of the ten-day time period given in the deficiency letter.

<sup>3</sup> 807 KAR 5:076.

<sup>4</sup> 807 KAR 5:076, Section 5(4).

5:076. Section 17 of 807 KAR 5:076 states that upon a showing of good cause, the Commission may permit deviations from this administrative regulation.<sup>5</sup>

### DISCUSSION AND FINDINGS

The Commission initially rejected Crittenden-Livingston District's application due to deficiencies, including an incorrect date on the customer notice.<sup>6</sup> As outlined in 807 KAR 5:076 Section 5(4), the notice must reflect the date the proposed rates are expected to be filed with the Commission.<sup>7</sup> However, the notice provided by Crittenden-Livingston District listed a date of July 9, 2024, which predates the tendered filing.<sup>8</sup> Crittenden-Livingston District submitted an amended application on January 9, 2025, to address the identified deficiencies and requested a deviation from the notice requirements.<sup>9</sup>

In its amended application, Crittenden-Livingston District explained that during the preparation of its application, it faced significant staffing challenges. Specifically, Crittenden-Livingston District's superintendent left employment, and a commissioner was travelling internationally, making it difficult for Crittenden-Livingston District's staff to obtain required signatures in a timely manner.<sup>10</sup> Despite these challenges, Crittenden-

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<sup>5</sup> 807 KAR 5:076, Section 17.

<sup>6</sup> Deficiency Letter (Ky. PSC Nov. 14, 2024).

<sup>7</sup> 807 KAR 5:076 Section 5(4)(a).

<sup>8</sup> Application (tendered Nov. 12, 2024) page 8 of 46.

<sup>9</sup> Amended Application.

<sup>10</sup> Crittenden-Livingston District's Read First Cover Letter (Read First Letter) (filed Jan. 9, 2025) Numbered Paragraph 1.

Livingston District states that it provided notice to its customers for three consecutive weeks, which included accurate information regarding the proposed rate increase.

Furthermore, although Crittenden-Livingston District did not explicitly request a deviation for the timeliness of the amended application, the Commission acknowledges that the amended filing was not submitted within ten days, as stipulated in the deficiency letter.<sup>11</sup> Given the extenuating circumstances of staff changes and logistical difficulties, the Commission grants a deviation for good cause and accepts the untimely filing.

The Commission finds that Crittenden-Livingston District's amended application substantially complies with the filing requirements found in 807 KAR 5:076, Section 5(4); therefore, Crittenden-Livingston District's request for deviation from the notice requirement set forth in 807 KAR 5:076, Section 5(4)(a), should be granted. The remaining deficiencies previously listed in the deficiency letter sent on November 14, 2024, have been cured.

IT IS THEREFORE ORDERED that:

1. Crittenden-Livingston District's request to deviate from the notice requirement set forth in 807 KAR 5:076, Section 5(4)(a), is granted.
2. Crittenden-Livingston District's is granted deviation from the ten-day response period set forth in the November 14, 2024, deficiency letter.
3. All remaining deficiencies listed in the November 14, 2024 deficiency letter have been cured.
4. Crittenden-Livingston District's application is accepted for filing as of the date of this Order.

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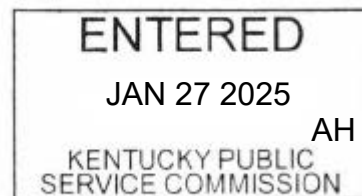
<sup>11</sup> Deficiency Letter, unnumbered page 1.

PUBLIC SERVICE COMMISSION

  
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Chairman

  
\_\_\_\_\_  
Commissioner

  
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Commissioner



ATTEST:

   
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