

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF MUHLENBERG	)	CASE NO.
COUNTY WATER DISTRICT FOR A RATE	)	2024-00404
ADJUSTMENT PURSUANT TO 807 KAR 5:076	)	

ORDER

On January 8, 2025, Muhlenberg County Water District (Muhlenberg District) submitted its application for a rate adjustment pursuant to 807 KAR 5:076. On January 9, 2025, a deficiency letter was issued citing, in part, failure to comply with 807 KAR 5:076 Section 5(4)(d) because Muhlenberg District did not provide the amount of average water usage and did not provide the effect of the proposed changes upon the average bill of each customer classification to which the proposed rates apply. On January 10, 2025, Muhlenberg District filed a corrected customer notice to address these issues, and also correct a typo in the notice.<sup>1</sup> In the cover letter for the corrected notice, Muhlenberg District noted that the corrected customer notice of the proposed rate adjustment provides the amount of the average usage and effect upon the average bill of each customer classification to which the proposed rates apply.<sup>2</sup> The corrected notice has been submitted to the newspaper for publication on the two remaining dates.<sup>3</sup>

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<sup>1</sup> Corrected Customer Notice (filed Jan. 10, 2025).

<sup>2</sup> Cover Letter (filed Jan. 10, 2025).

<sup>3</sup> Cover Letter.

## LEGAL STANDARD

Commission regulation 807 KAR 5:076 Section 5 (2), Customer Notice, states that:

(b) If a utility has more than twenty (20) customers, it shall provide notice by:

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3. Publishing notice once a week for three (3) consecutive weeks in a prominent manner in a newspaper of general circulation in the utility's service area, the first publication to be made no later than the date the application is submitted to the commission.

Commission regulation 807 KAR 5:001, Section 22 provides, “[i]n special cases, for good cause shown, the commission may permit deviations from these rules.”

## DISCUSSION AND FINDINGS


Having considered the record and being otherwise sufficiently advised, the Commission, on its own motion, grants a deviation for cause good cause from the requirements of 807 KAR 5:076 Section 5 (2)(b)(3) pursuant to 807 KAR 5:076 Section 17. While typically, a utility’s deficient notice would be required to be rerun once a week for three consecutive weeks in a prominent manner in a newspaper of general circulation in the utility's service area, the Commission does not believe that requiring the additional expense of republishing the first notice necessary. The Commission is satisfied that running two consecutive corrected notices is sufficient in this specific instance, due to the nature of the deficiencies. Therefore, the Commission also finds that the filings submitted on January 10, 2025, cured the earlier deficiencies, and the application meets the minimum filing requirements. Muhlenberg District should provide proof of notice to the Commission no later than 45 days from the date the application was initially submitted to the Commission pursuant to 807 KAR 5:076 Section 5(3).

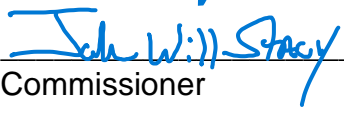
IT IS THEREFORE ORDERED that:


1. Muhlenberg District is granted a deviation from the requirements of 807 KAR 5:076 Section 5 (2)(b)(3) pursuant to 807 KAR 5:076 Section 17 and shall publish notice as described above.
2. The application is deemed filed as of January 10, 2025.
3. Muhlenberg District shall provide proof of notice to the Commission no later than 45 days from the date the application was initially submitted to the Commission pursuant to 807 KAR 5:076 Section 5(3).

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PUBLIC SERVICE COMMISSION

  
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Chairman

  
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Commissioner

  
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Commissioner

ATTEST:

  
\_\_\_\_\_  
Executive Director

ENTERED  
JAN 22 2025 AH  
KENTUCKY PUBLIC  
SERVICE COMMISSION

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