

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION INTO THE)	
STATUS OF THE POTENTIAL EXPANSION OR)	CASE NO.
REPLACEMENT OF THE BULLOCK PEN WATER)	2025-00259
DISTRICT TREATMENT PLANT)	

ORDER

On August 27, 2025, the city of Crittenden (Crittenden) filed a motion requesting to intervene in this investigation of Bullock Pen Water District (Bullock Pen District). As a basis for its motion, Crittenden stated that this proceeding will have a significant impact on the citizens of Crittenden, that Crittenden has a special interest in this matter, and it will not be adequately represented by other parties.¹

LEGAL STANDARD

The Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General), has the statutory right to intervene in Commission cases pursuant to KRS 367.150(8)(b). With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.²

The regulatory standard for permissive intervention, set forth in 807 KAR 5:001, Section 4, is twofold. Commission regulation 807 KAR 5:001, Section 4(11), requires a person to set forth in the motion to intervene either (1) a special interest in the proceeding

¹ Crittenden's Motion to Intervene (filed Aug. 27, 2025) at 2.

² KRS 164.2807.

that is not otherwise adequately represented in the case, or (2) that intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.

DISCUSSION AND FINDINGS

Based on a review of the pleadings at issue and being otherwise sufficiently advised, the Commission is unable to find that Crittenden has demonstrated a special interest in this proceeding that is not otherwise adequately represented. Similarly, the Commission is unable to find that Crittenden has shown it is likely to present issues or develop facts that will assist the Commission in considering this matter, without unduly complicating or disrupting the proceedings for the reasons discussed below.

In its motion to intervene, Crittenden stated, "... [a]pproval of the application in this matter will have a significant impact on the citizens of the City of Crittenden."³ However, as of the date of this Order, Bullock Pen District has not filed an application for a Certificate of Public Convenience and Necessity (CPCN) to construct plant outside of the ordinary course of business. Nor has Bullock Pen District filed any additional information indicating construction or expansion plans for the water district.

The Commission opened this investigation for the limited purpose of receiving updated information from Bullock Pen District regarding how it might address its future water treatment needs.⁴ As such, the Commission finds that permitting Crittenden to intervene in this matter would be premature and allowing such intervention would unduly complicate or disrupt these proceedings. The Commission reiterates that this is an

³ Crittenden's Motion to Intervene at 2.

⁴ Order (Ky. PSC Aug. 12, 2025).

investigation pursuant to KRS 278.030 and not a filing by a utility pursuant to KRS 278.020 for a grant of a CPCN.

While the Commission was unable to find sufficient cause supporting intervention in this proceeding, nothing in this Order should be construed as undermining Crittenden's opportunity to participate in future Bullock Pen District proceedings. Moreover, even though its motion seeking intervenor status is not being granted, Crittenden may monitor the progress and comment upon the proceedings through the submission of public comments. Case filings and public comments may be located on the Commission's website at <https://psc.ky.gov/>; and specifically, Crittenden may review all public documents filed in this case and monitor the proceeding via the Commission's website <https://psc.ky.gov/Case/ViewCaseFilings/2025-00259>. Public comments may be tendered for those comments to be entered into the record of this proceeding using the information located on the Contact Us portion of the Commission's webpage at <https://psc.ky.gov/Home/Contact>.

IT IS THEREFORE ORDERED that Crittenden's motion to intervene is denied.

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:

 RP
Executive Director



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