

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION INTO CITY OF)	
ALBANY FOR ALLEGED ASSESSMENT OF AN)	CASE NO.
UNAPPROVED RATE FOR CUMBERLAND)	2025-00390
COUNTY WATER DISTRICT)	

ORDER

This matter arises upon the motion of Cumberland County Water District (Cumberland District), filed January 19, 2026, for full intervention. As a basis for its motion, Cumberland District stated that Cumberland District has a special interest that cannot be adequately represented by any existing party in this case because it has allegedly been charged an unapproved rate by the city of Albany, and that Cumberland District's intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matters at hand.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

¹ Motion at 3-4.

² KRS 164.2807.

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 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 finds that Cumberland District has demonstrated that it has a special interest in the proceeding over which the Commission has jurisdiction that is not otherwise adequately represented, as a party to the contract at issue.

Based on the above, the Commission finds that Cumberland District should be granted full rights of a party in this proceeding. The Commission directs Cumberland District to the Commission's July 22, 2021 Order in Case No. 2020-00085³ regarding filings with the Commission.

IT IS HEREBY ORDERED that:

1. Cumberland District's motion to intervene is granted.
2. Cumberland District is entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.

³ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

3. Cumberland District shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents.


4. Cumberland District shall adhere to the procedural schedule set forth in the Commission's December 23, 2025 Order and as amended by subsequent Orders.

5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, Cumberland District shall file a written statement with the Commission that:


a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and

b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding shall be served.

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



Case No. 2025-00390

*James F Bray
Mayor, City of Albany, Kentucky
204 S Cross Street
Albany, KY 42602

*JR Thacker
Cumberland County Water District
133 Lower River Street
Burkesville, KY 42717-9622

*Ashley Tucker
Clerk, City of Albany, Kentucky
204 S Cross Street
Albany, KY 42602

*Troy Norris
Cumberland County Water District
133 Lower River Street
Burkesville, KY 42717-9622

*Cumberland County Water District
133 Lower River Street
Burkesville, KY 42717-9622

*Coleman Hurt
Cumberland County Attorney
400 Courthouse Square
P. O. Box 414
Burkesville, KY 42717

*Jay Cary
Cumberland County Water District
133 Lower River Street
Burkesville, KY 42717-9622

*Luke King
Cumberland County Judge Executive
PO Box 826
600 Courthouse Square
Burkesville, KY 42717

*Michael Ballard
General Manager
Cumberland County Water District
133 Lower River Street
Burkesville, KY 42717-9622

*Honorable Damon R Talley
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KY 40507-1801

*Mark Vibbert
Cumberland County Water District
133 Lower River Street
Burkesville, KY 42717-9622

*Sydney Hunter
City of Albany Waterworks
1014 Cross Street
Albany, KY 42602

*Eric Carver
Cumberland County Water District
133 Lower River Street
Burkesville, KY 42717-9622

*Tina C. Frederick
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KY 40507-1801