

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF AMERICAN)	
WATER WORKS COMPANY, INC., ALPHA)	
MERGER SUB, INC., ESSENTIAL UTILITIES,)	
INC., LDC FUNDING, LLC, PNG COMPANIES)	CASE NO.
LLC, AND DELTA NATURAL GAS COMPANY,)	2025-00408
INC. FOR APPROVAL OF THE TRANSFER OF)	
CONTROL OF DELTA NATURAL GAS)	
COMPANY, INC.)	

ORDER

On December 22, 2025, American Water Works Company, Inc. (American Water); Alpha Merger Sub, Inc. (Merger Sub); Essential Utilities, Inc. (Essential); LDC Funding LLC (LDC Funding); PNG Companies LLC (PNG); and Delta Natural Gas Company, Inc. (Delta) (collectively, Joint Applicants) filed an application, pursuant to KRS 278.020(6) and KRS 278.020(7), requesting approval of a transfer of control of Delta, a utility subject to the Commission's jurisdiction, which will occur as the result of the merger of Essential and Merger Sub, a wholly owned subsidiary of American Water. If approved, American Water will become the indirect parent of Delta.

KRS 278.020(7) states that the Commission shall render a decision on an application for the acquisition of control of a jurisdictional utility within 60 days after the application was filed, unless it is necessary to continue the application for up to 60 additional days, for good cause. Based upon a review of the application, the Commission finds that an investigation is necessary, and that the investigation cannot be completed

by February 20, 2026. Therefore, the Commission will continue the application for up to 60 additional days, up to and including April 21, 2026.

The Commission also finds that a procedural schedule should be established for the orderly processing of this case. A procedural schedule is set forth in the Appendix to this Order.

Additionally, any hearing scheduled in this matter shall be held on the designated day or days and continued until called from the bench by the presiding officer. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing may be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing. Hearings are held in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. Witnesses who sponsor schedules, testimony, or responses to requests for information are expected to participate in person at a hearing.

IT IS THEREFORE ORDERED that:

1. This case is continued for 60 additional days, up to and including April 21, 2026.
2. The procedural schedule set forth in the Appendix to this Order shall be followed.
3. Joint Applicants shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests.

4. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. The Commission directs the parties to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission.

5. As set forth in 807 KAR 5:001, Section 4(11), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding that is not 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. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts that the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service consumed by the movant or a general statement regarding a potential impact of possible modification of rates will not be deemed sufficient to establish a special interest.

6. Any motion to intervene filed after the date established in the procedural schedule shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

¹ 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).

7. Joint Applicants shall give notice of any scheduled hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: “This hearing will be streamed live and may be viewed by connecting to the YouTube link posted on the PSC website, psc.ky.gov” the day of the hearing, and “Public comments may be made at the beginning of the hearing. Those wishing to provide public comments may do so by arriving at 211 Sower Boulevard, Frankfort, Kentucky, before the start of the hearing.” At the time the notice is mailed or publication is requested, Joint Applicants shall forward a duplicate of the notice and request to the Commission.

8. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

9. Any hearing scheduled in this matter shall be held on the designated day or days and continued until called from the bench by the presiding officer. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing shall be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing.

10. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at any hearing scheduled in this matter.

11. Joint Applicants shall file a witness list at least seven days prior to the hearing date.

12. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

13. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

14. The Commission does not look favorably upon motions to substitute witnesses or excuse witnesses from testifying at Commission hearings. Accordingly, motions to substitute witnesses or excuse a witness from testifying at a Commission hearing or from testifying in person at a Commission hearing shall be made in writing at least 14 days prior to the hearing and will be granted only upon a showing of good cause.

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PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2025-00408 DATED JAN 14 2026

Last day for intervention requests to be accepted..... 01/16/2026

All initial requests for information to Joint Applicants
shall be filed no later than 01/23/2026

Joint Applicants shall file responses to initial requests for
information no later than..... 02/06/2026

All supplemental requests for information to Joint Applicants
shall be filed no later than 02/20/2026

Joint Applicants shall file responses to supplemental requests
for information no later than 03/06/2026

Intervenor testimony, if any, in verified prepared
form shall be filed no later than To be scheduled

All requests for information to Intervenors shall
be filed no later than To be scheduled

Intervenors shall file responses to requests for
information no later than..... To be scheduled

Joint Applicants shall file, in verified form, its rebuttal
testimony no later than To be scheduled

Last day for Parties to request a Public Hearing or submit a
request for the matter be decided based upon the written record 03/11/2026

*Honorable Lindsey W Ingram, III
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KY 40507-1801

*Molly Van Over
Kentucky-American Water Company
2300 Richmond Road
Lexington, KY 40502

*Monica Braun
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KY 40507-1801

*Delta Natural Gas Company, Inc.
3617 Lexington Road
Winchester, KY 40391

*Rebecca C. Price
Sturgill, Turner, Barker & Moloney
155 East Main Street
Lexington, KY 40507

*M. Todd Osterloh
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KY 40507