

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY-)	
AMERICAN WATER COMPANY FOR AN)	CASE NO.
ADJUSTMENT OF RATES, APPROVAL OF)	2026-00094
SYSTEM IMPROVEMENT PROGRAM, AND)	
TARIFF CHANGES)	

ORDER

This matter arises upon the motion of the Lexington-Fayette Urban County Government (LFUCG), filed May 21, 2026, for full intervention.¹ As a basis for its motion, LFUCG stated that it is a customer of Kentucky-American Water Company (Kentucky-American) and annually pays millions of dollars for service.² LFUCG further stated that it is one of Kentucky-American's largest customers that takes service from a variety of rate classifications, and that it is Kentucky-American's largest customer of public fire hydrants, with over 90 percent of Kentucky-American's public fire hydrants billed to LFUCG.³ LFUCG argued that no other party could adequately represent its interests in this proceeding.⁴ LFUCG also stated that it 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 because it plans to address issues including hydrants and

¹ LFUCG's Motion to Intervene (Motion) (filed May 21, 2026).

² Motion at 1.

³ Motion at 2.

⁴ Motion at 2.

associated rates, return on equity (ROE), certain revenue requirement components, and unification of rates for acquired systems.⁵

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). By Order issued May 20, 2026, the Attorney General was granted intervention in this proceeding.⁶ With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.⁷

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 LFUCG has demonstrated that it has a special interest in the proceeding over which the Commission has jurisdiction that is not otherwise adequately represented. However, although not required, the Commission also finds that LFUCG is likely to present issues or develop facts that will assist the Commission in

⁵ Motion at 2.

⁶ Order (Ky. PSC, May 20, 2026).

⁷ KRS 164.2807.

considering this matter without unduly complicating or disrupting the proceedings for the reasons discussed below.

The Commission finds that LFUCG has a special interest in this proceeding as set out in 807 KAR 5:001, Section 4(11), because LFUCG is one of Kentucky-American's largest customers, including the largest customer in a unique rate classification relating to public fire hydrants. The Commission further finds that no other party to this proceeding adequately represents LFUCG's interests.

The Commission also finds that LFUCG is likely to present issues or develop facts that will assist the Commission in fully considering this matter without unduly complicating or disrupting the proceedings. LFUCG stated that it intends to address issues including hydrants and associated rates, ROE, certain revenue requirement components, and unification of rates for acquired systems. The Commission finds that LFUCG's participation may assist in the development of the record regarding those issues. The Commission notes that LFUCG only had to demonstrate it satisfied one prong of the regulation.

Based on the above, the Commission finds that LFUCG should be granted full rights of a party in this proceeding. The Commission directs LFUCG to the Commission's July 22, 2021 Order in Case No. 2020-00085⁸ regarding filings with the Commission.

IT IS HEREBY ORDERED that:

1. LFUCG's motion to intervene is granted.

⁸ 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).

2. LFUCG 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. LFUCG 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. LFUCG shall adhere to the procedural schedule set forth in the Commission's May 27, 2026 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, LFUCG 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.

Entered on this 4th day of June, 2026.

PUBLIC SERVICE COMMISSION



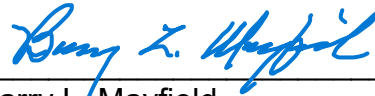
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