

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 Georgetown Municipal Water and Sewer Service (Georgetown Water and Sewer), filed June 2, 2026, for full intervention.¹ As a basis for its motion, Georgetown Water and Sewer stated that it is a wholesale customer of Kentucky-American Water Company (Kentucky-American) and purchased more than two million gallons of water from Kentucky-American in 2025.² Georgetown Water and Sewer further asserted that the cost of wholesale water service directly affects its own cost of service and retail rates, and that no other intervenor adequately represents the interests of wholesale customers in this proceeding.³ Georgetown Water and Sewer also stated that its participation is likely to assist the Commission in fully considering the matter without unduly complicating or disrupting the proceeding because it intends to address

¹ Georgetown Water and Sewer’s Motion for Intervention (Motion) (filed June 2, 2026).

² Motion at 1–2.

³ Motion at 2.

issues related to rate design, cost allocation, return on equity, and certain revenue requirement components.⁴

Kentucky-American filed a response to the motion for intervention filed by Georgetown Water and Sewer on June 9, 2026.⁵ In the response, Kentucky-American alleged that the billing and usage information provided by Georgetown Water and Sewer was inaccurate.⁶ Kentucky-American also argued that the Attorney General represented ratepayers, and the Attorney General had been granted intervention so independent participation by Georgetown Water and Sewer was not warranted.⁷ Kentucky-American also argued that Georgetown Water and Sewer did not present a specialized interest as a customer but merely a generalized interest in this proceeding.⁸

On June 12, 2026, Kentucky-American filed a retraction of its assertion that the motion contained inaccurate billing and usage information.⁹

On June 15, 2026, Georgetown Water and Sewer filed a response to Kentucky-American's filings, reiterating its original arguments.

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). The Attorney General was granted

⁴ Motion at 3.

⁵ Kentucky-American's Response to Motion for Intervention (Response) (filed June 9, 2026).

⁶ Response at 2–3.

⁷ Response at 5–6.

⁸ Response at 3–5.

⁹ Kentucky-American's Notice of Retraction (filed June 12, 2026).

intervention by Order dated May 20, 2026.¹⁰ With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.¹¹

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 Georgetown Water and Sewer has demonstrated that it has a special interest in the proceeding over which the Commission has jurisdiction that is not otherwise adequately represented. In addition, the Commission finds Georgetown Water and Sewer 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.

The Commission finds that Georgetown Water and Sewer has demonstrated a special interest in this proceeding that is not otherwise adequately represented. Georgetown Water and Sewer is a wholesale customer of Kentucky-American and takes service under Kentucky-American's Sales for Resale tariff. Georgetown Water and Sewer asserted that the wholesale rates approved in this proceeding directly affect its

¹⁰ Order (Ky. PSC May 20, 2026).

¹¹ KRS 164.2807.

own cost of service and retail rates. Georgetown Water and Sewer further argued that no party represented wholesale customer interests in Kentucky-American's previous general rate case, in which the Commission approved a significant increase to the Sales for Resale rate.¹² The Commission finds that these interests are distinct from those of the other parties currently participating in this proceeding and are sufficient to satisfy the special interest prong of the intervention standard.

The Commission further finds that Georgetown Water and Sewer 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. Georgetown Water and Sewer stated that it intends to address issues including rate design, cost allocation, return on equity, and certain revenue requirement components.¹³ Georgetown Water and Sewer's participation as a wholesale customer may assist the Commission in evaluating the impact of Kentucky-American's proposed rates and allocations on Sales for Resale customers. Although Georgetown Water and Sewer satisfies both prongs of the intervention standard, satisfaction of either prong alone would be sufficient to warrant intervention.

Based on the above, the Commission finds that Georgetown Water and Sewer should be granted full rights of a party in this proceeding. The Commission directs Georgetown Water and Sewer to the Commission's July 22, 2021 Order in Case No. 2020-00085¹⁴ regarding filings with the Commission.

¹² Motion at 2.

¹³ Motion at 3.

¹⁴ 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

IT IS HEREBY ORDERED that:

1. Georgetown Water and Sewer's motion to intervene is granted.
2. Georgetown Water and Sewer 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. Georgetown Water and Sewer 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. Georgetown Water and Sewer 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, Georgetown Water and Sewer 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.

March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

Entered on this 17th day of June, 2026.

PUBLIC SERVICE COMMISSION



Angie Hatton
Chair



Mary Pat Regan
Vice Chair



Andrew W. Wood
Commissioner



Barry L. Mayfield
Commissioner

ATTEST:



Linda C. Bridwell, PE
Executive Director

Service List for 2026-00094

* Angela M Goad
Assistant Attorney General
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

* Anne Trout
Kentucky-American Water Company
2300 Richmond Road
Lexington, KY 40502

* Honorable David J. Barberie
Managing Attorney
Lexington-Fayette Urban County Government
Department Of Law
200 East Main Street
Lexington, KY 40507

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

* Emily Bytnar
Kentucky-American Water Company
2300 Richmond Road
Lexington, KY 40502

* Gabriel Thatcher
Attorney Senior
Lexington-Fayette Urban County Government
Department Of Law
200 East Main Street
Lexington, KY 40507

* James W Gardner
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KY 40507

* James McSweeney
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KY 40507

* Denotes served by Email

* John G Horne, II
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

* JEB Pinney
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KY 40507

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

* Lawrence W Cook
Assistant Attorney General
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

* J. Michael West
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

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

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

* Toland Lacy
Office of the Attorney General
700 Capital Avenue
Frankfort, KY 40601