

DOC11R

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of May 19, 2024***2022-00366**

RECEIVED: 02/18/23

FILED: 02/23/23

FINAL: 04/05/24

REOPENED: 03/11/24

SUSPENSION DATE: 08/24/23

**CASE CODE**

General Rates

**UTILITIES:**

Mountain Water District

**HEARINGS:**

01/03/24 Informal Conference

08/16/23 Formal Hearing

07/12/23 Informal Conference

**INDEX OF EVENTS:**

- 04/05/24 Order Entered: 1. Mountain District's motion is granted. 2. Mountain District's request to modify the day on which the District must submit its monthly surcharge and water loss reports to the last day of each month is granted. 3. The October 31, 2023, as amended by Order issued on November 29, 2023, is clarified to the extent that Mountain District is authorized to assess a Water Loss Reduction Surcharge for a 48-month period, beginning January 2024 and ending December 2028, or until \$1,365,608 has been assessed, whichever occurs first. 4. The October 31, 2023, as amended by Order issued on November 29, 2023, is clarified to the extent that Mountain District shall file its first annual report of surcharge activity and water loss improvement progress no later than April 30, 2025. 5. All provisions of the October 31, 2023 Order, as amended on November 29, 2023, that are not in conflict with the terms of this Order shall remain in effect. 6. This case is closed and removed from the Commission's docket.
- 03/11/24 Gerald E. Wuetcher Mountain Water District Motion to Modify and Clarify
- 02/28/24 POST CASE: Gerald E. Wuetcher Mountain Water District Notice of Compliance with Order of 10/31/2023
- 02/23/24 Order Entered nunc pro tunc, that: 1. The rate Appendix B to the October 31, 2023 Order, as previously amended on November 29, 2023, is stricken and replaced with the Appendix to this Order. 2. The adjusted rates in the Appendix to this Order are fair, just and reasonable. 3. All other provisions of the Commission's October 31, 2023 Order, as previously amended on November 29, 2023, that are not in conflict with the terms of this Order shall remain in effect. 4. Within 20 days of the date of this Order, Mountain District shall file with the Commission revised tariff sheets containing the approved rates. 5. Mountain District shall collect any undercollection and issue any refund, over a period of four months, for any difference between the rates for retail and wholesale water service placed into effect following the October 31, 2023 Order, and the rates provided in the Appendix to this Order. 6. Within 20 days of the date of this Order, Mountain District shall file in this case a statement detailing the amounts billed to its retail and wholesale customers in excess of the rates authorized in this Order with totals for each type of charge separately stated.
- 01/29/24 POST CASE: Elkhorn City Opposition to Mountain Water District Rate Increase
- 12/22/23 Order Entered: 1. Mountain District's motion for an IC is granted. 2. Mountain District's request for representatives of Elkhorn to attend the IC is denied. 3. An IC is scheduled on January 3, 2024, at 10 a.m. Eastern Standard Time. 4. Commission Staff will contact participants by electronic mail to provide details for joining the conference by video link.
- 12/06/23 POST CASE: Gerald E. Wuetcher Mountain Water District Motion for Conference With Commission Staff
- 11/29/23 Ordered Entered nunc pro tunc, that: 1. That portion of the last sentence on page 38 of the October 31, 2023 Order that states "and to maintain Mountain District's proposal to phase-in the rates over three- year" is hereby stricken. 2. The second paragraph on page 39 of the October 31, 2023 Order is hereby stricken. 3. Appendix B of the October 31, 2023 Order is hereby stricken and replaced with the Appendix B attached to this Order, and the general water service rates set forth in Appendix B attached to this Order are approved for service that Mountain District renders on and after October 31, 2023. 4. The portion of the finding on page 34 of the October 31, 2023 Order stating, "a monthly water loss reduction surcharge of \$1.72

DOC11R

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of May 19, 2024*

per customer over 48 months, or until \$341,402 has been assessed, whichever occurs first,” is hereby stricken and replaced with the following language: “a monthly water loss reduction surcharge of \$1.72 per customer over 48 months, or until \$1,365,608 has been assessed, whichever occurs first,” 5. All provisions of the October 31, 2023 Order that are not in conflict with the terms of this Order shall remain in effect. 6. This case is closed and removed from the Commission’s docket.

11/09/23 Gerald E. Wuetcher Application for Rehearing

10/31/23 Final Order Entered: 1. Mountain District’s application for an adjustment of its rates is denied as proposed. 2. The general water service rates set forth in Appendix B of this Order are approved for the water service that Mountain District renders on and after the date of this Order. 3. The nonrecurring charge rates set forth in Appendix B of this Order are approved for the water service that Mountain District renders on and after the date of this Order. 4. Within 20 days of the date of entry of this Order, Mountain District shall file with the Commission, using the Commission’s electronic Tariff Filing System, revised tariff sheets setting out the rate approved herein and reflecting that it was approved pursuant to this Order. 5. Within 20 days of the date of entry of this Order, Mountain District shall file through the Commission’s Electronic Tariff Filing system new nonrecurring charges reflecting the marginal cost of each nonrecurring service. The Commission shall open a separate proceeding, Case No. 2023-00351 to monitor the surcharge proceeds collection and expenses, subject to the following conditions: a. Within 120 days of the date of service of this Order, Mountain District shall file with the Commission a QIIP, including a comprehensive unaccounted-for water loss reduction plan that establishes priorities and a time schedule for eliminating each source of unaccounted-for water loss and provides a detailed spending plan for the proceeds of a surcharge.

09/27/23 Notice of Filing Hearing Documents

09/08/23 Gerald E. Wuetcher Mountain Water District Fifth Supplemental Response to PSC Staff Request 1-7d

09/07/23 Gerald E. Wuetcher Mountain Water District Correction to Hearing Testimony

09/07/23 Gerald E. Wuetcher Mountain Water District Post-Hearing Brief

08/31/23 Gerald E. Wuetcher Mountain Water District Fourth Supplemental Response to PSC Staff Request for Information 1-7d (Rate Case Expense Report)

08/31/23 Order Entered: 1. Mountain District’s motion for confidential treatment is granted. 2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission. 3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9). 4. Mountain District shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.

08/25/23 Gerald E. Wuetcher Mountain Water District Motion for Confidential Treatment

08/25/23 Gerald E. Wuetcher Mountain Water District Response to PSC Staff Post-Hearing Request for Information

08/18/23 COMMISSION STAFF’S POST-HEARING REQUEST FOR INFORMATION TO MOUNTAIN WATER DISTRICT

08/18/23 Order Entered: 1. Post-hearing requests for information, if any, shall be filed on or before August 18, 2023. 2. Responses to post-hearing requests for information shall be filed on or before August 25, 2023. 3. Counsel for Mountain Water District (Mountain District) shall file a memorandum brief in support of Mountain District’s post-hearing position or a statement that no brief will be filed on or before September 8, 2023. 4. This case shall stand submitted for a decision by the Commission effective 12:01 a.m. Eastern Daylight Time, September 9, 2023.

08/18/23 Gerald E. Wuetcher Mountain Water District Amended Response to PSC Staff Request 1-14

08/15/23 Gerald E. Wuetcher Mountain Water District Amended Response to PSC Staff Request for Information 3-4

08/14/23 Gerald E. Wuetcher Mountain Water District Proof of Publication of Hearing Notice

08/14/23 Order Entered: Mountain District’s motion is granted.

08/10/23 Gerald E. Wuetcher Mountain Water District Third Supplemental Response to PSC Staff Request 1-7d

08/10/23 Gerald E. Wuetcher Mountain Water District Motion to Excuse Witnesses From Appearance At Hearing

08/04/23 Gerald E. Wuetcher Mountain Water District Notice of Request for Publication of Hearing Notice

08/03/23 Order Entered: 1. Mountain District’s July 27, 2023 motion to cancel the hearing in this matter and to submit the case on the record is denied. 2. The evidentiary hearing in this matter shall proceed on August 16, 2023, pursuant to the Commission’s July 24, 2023 Order.

07/27/23 Gerald E. Wuetcher Mountain Water District Waiver of Hearing and Motion to Cancel Scheduled Hearing, Submit Matters for Decision Without Hearing, and Expedite Decision on Applications

DOC11R

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of May 19, 2024*

07/24/23 Order Entered: 1. A hearing in this matter shall be held on August 16, 2023, at 9 a.m. Eastern Daylight Time and continuing until called from the bench by the presiding officer, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. This will be a joint hearing with Case No. 2022-00367, Electronic Application of Mountain Water District for a General Adjustment of Sewer Rates. 2. 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. 3. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at the August 16, 2023 hearing. 4. Mountain Water District (Mountain District) shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b).

07/14/23 Gerald E. Wuetcher Mountain Water District Response to PSC Staff Third Request for Information

07/13/23 PSC Letter Filing Memo into the Record

07/11/23 Order Entered: 1. Mountain District's motion for an IC is granted. 2. An IC is scheduled on July 12, 2023, at 2:00 p.m. Eastern Daylight Time. 3. Commission Staff will contact participants by electronic mail to provide details for joining the conference by video link.

07/10/23 Gerald E. Wuetcher Mountain Water District Motion for Telephone Conference

07/05/23 COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO MOUNTAIN WATER DISTRICT

06/28/23 Gerald E. Wuetcher Mountain Water District Second Supplemental Response to PSC Staff Request 1-7d

06/05/23 Gerald E. Wuetcher Mountain Water District Response to PSC Staff Second Request for Information

05/22/23 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO MOUNTAIN WATER DISTRICT

04/28/23 Gerald E. Wuetcher Mountain Water District Supplemental Response to PSC Staffs First Request for Information (Rate Case Expense Report)

04/26/23 Order Entered: 1. The amended procedural schedule set forth in the Appendix to this Order shall be followed. 2. Mountain District shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests. 3. 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. 4. All provisions of the Commission's Order of March 9, 2023, in conflict with the provisions of this Order are vacated. All other provisions of the Order of March 9, 2023, shall remain in effect.

03/20/23 Gerald E. Wuetcher Mountain Water District Response to PSC Staff First Request for Information

03/10/23 Order Entered: 1. Mountain District's motion for an extension of time to file its response to Staff's First Request is granted. 2. Mountain District shall file its response to Staff's First Request on or before March 20, 2023.

03/09/23 Order Entered: 1. Mountain District's proposed rates are suspended for five months, up to and including August 24, 2023. 2. The procedural schedule set forth in the Appendix to this Order shall be followed. 3. Mountain District 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 5:001E, 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. 2020-00085<sup>1</sup> regarding filings with the Commission.

03/08/23 Gerald E. Wuetcher Mountain Water District Proof of Publication of Notice

03/03/23 Gerald E. Wuetcher Mountain Water District Motion for Extension of Time

03/02/23 Order Entered: 1. Mountain District's motion for a deviation from the procedural requirements of 807 KAR 5:001E, Section 17(2)(b)(3) and 807 KAR 5:001E, Section 17(4)(a) is granted. 2. Mountain District's application shall be deemed filed as of February 23, 2023.

02/23/23 Gerald E. Wuetcher Mountain Water District Motion for Deviation

02/23/23 Gerald E. Wuetcher Mountain Water District Response to Filing Deficiency Letter

DOC11R

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of May 19, 2024*

02/22/23	Deficiency letter, information due 03/04/2023.
02/18/23	Gerald E. Wuetcher Mountain Water District Application for Rate Adjustment
01/19/23	Gerald E. Wuetcher Mountain Water District Second Revised Notice of Intent
01/19/23	Order Entered: Mountain District's motion to deviate from the procedural requirements of 807 KAR 5:001E, Section 16(4)(i) is denied.
12/30/22	Gerald E. Wuetcher Mountain Water District Motion for Deviation
12/08/22	Gerald E. Wuetcher Mountain Water District Revised Notice of Intent to File an Application for General Rate Adjustment
11/18/22	COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO MOUNTAIN WATER DISTRICT
10/31/22	Gerald E. Wuetcher Mountain Water District Notice of Intent to Apply for A General Adjustment of Rates
10/31/22	Acknowledge Receipt of Filing
10/28/22	Mountain Water District Notice of Intent to File an Application for a General Adjustment of Water Rates Using Electronic Filing Procedures

---

Total Number of Cases: 1