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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of February 22, 2025***2010-00036**

RECEIVED: 02/26/10

FILED: 02/26/10

FINAL: 12/14/10

REOPENED:

SUSPENSION DATE: 09/28/10

**CASE CODE**General Rates  
Electronic Case**UTILITIES:**

Kentucky-American Water Company

INTERVENORS: Barberie-LFUCG/Bowman-

**HEARINGS:**08/11/10 Formal Hearing  
08/10/10 Formal Hearing  
07/28/10 Informal Conference  
05/10/10 Informal Conference**INDEX OF EVENTS:**

12/28/12 POST CASE: Kentucky American Waters Demand Management Plan

11/17/11 POST CASE: Kentucky-American Water Company Amended Ordering Paragraph 13 Report

11/01/11 POST CASE: Kentucky-American Water Company Ordering Paragraph 13 Report

09/30/11 POST CASE: Kentucky-American Water Company Ordering Paragraph 13 Report

09/01/11 POST CASE: Kentucky-American Water Company Ordering Paragraph 13 Report

08/01/11 POST CASE: Kentucky-American Water Company Oredring Paragraph 13 Report

07/01/11 POST CASE: Kentucky-American Water Company KAWs Ordering Paragraph 13 Report

06/01/11 POST CASE: Kentucky-American Water Company Ordering Paragraph 13 Report

05/02/11 POST CASE: Kentucky-American Water Company Ordering Paragraph 13 Report

04/01/11 POST CASE: Kentucky-American Water Company Ordering Paragraph 13 Report

03/01/11 POST CASE: Kentucky-American Water Company KAW Ordering Paragraph 13 Report

02/26/11 POST CASE: Kentucky-American Water Company KAW Ordering Paragraph 5 Report

02/12/11 POST CASE: Kentucky-American Water Company KAW Ordering Paragraph 10 Report

01/31/11 POST CASE: Kentucky-American Water Company Ordering Paragraph 13 Report

12/21/10 POST CASE: Kentucky-American Water Company Notice of Filing of Tariff Sheets

12/14/10 Final Order Entered: (1) Kentucky-American's proposed rates are denied. (2) The rates set forth in the Appendix to this Order are approved for service rendered on and after September 28, 2010. (3) Within 60 days of the date of this Order, Kentucky-American shall refund to its customers with interest all amounts collected for service rendered from September 28, 2010 through the date of this Order that are in excess of the rates set forth in the Appendix. (4) Kentucky-American shall pay interest on the refunded amounts on the date of this Order. (5) Within 75 days of this Order, Kentucky-American shall submit a written report which describes its efforts to refund all monies collected in excess of the rates that are set forth in the Appendix. (6) Within 20 days, Kentucky-American shall file its revised tariff sheets. (7) Kentucky-American's proposed revisions to Tariff Sheets No. 52, No. 53, and No. 53.1 are approved. (8) LFUCG's request that Kentucky-American develop a free or reduced public fire hydrant rate for use in a future rate proceeding is denied. (9) Kentucky-American shall make all records related to fire protection service and public fire hydrant service available for LFUCG's inspection and review and shall respond to all reasonable inquiries from LFUCG regarding public fire hydrant service within a reasonable time.

12/13/10 Letter to electronic mail message and its attachment in the record.

10/18/10 Response letter to Frank Mattone

10/14/10 Letter of Concern from Frank Mattone

10/14/10 Kentucky-American Water Company KAW Notice

10/07/10 Response letter to Britt Pennington

10/04/10 Order Entered: 1. Kentucky-American shall maintain its records in such manner as will allow it, the Commission, or any customer to determine the amounts to be refunded and to whom, in the event a refund is ordered upon final resolution of this matter. 2. Kentucky-American shall file its tariff reflecting its rates within 15 days of the date of this Order.

10/04/10 Public Comments Letter from Britt Pennington

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09/29/10 Kentucky-American Water's Notice of Intention to Implement Rates  
 09/28/10 Kentucky-American Water Company KAWs Notice of Implementation of Rates  
 09/15/10 Joint Notice from AG and KAW (Original & Electronic File Receipt)  
 09/14/10 Kentucky-American Water Company Joint Notice from AG and KAW  
 09/07/10 CAC's Post-Hearing Brief (hard copy)  
 09/07/10 Lexington-Fayette Urban County Government's Brief (hard copy)  
 09/07/10 Attorney General's Brief (Hard Copy)  
 09/07/10 Kentucky-American's Post Hearing Brief (Hard Copy)  
 09/03/10 Kentucky-American Water Company KAW Post Hearing Brief  
 09/03/10 Bates and Skidmore Post Hearing Brief  
 09/03/10 Office of Ky. Attorney General Brief of the Attorney General  
 09/03/10 Lexington-Fayette Urban County Government Lexingtons Brief  
 08/25/10 KAW's Notice of Filing  
 08/24/10 Kentucky-American Water Company KAWs Notice of Filing  
 08/23/10 KAW's Responses to Hearing Data Requests  
 08/20/10 Kentucky-American Water Company KAWs Responses to Hearing Data Requests  
 08/19/10 Attorney General's Supplemental Response to PSC requests, Item 5  
 08/18/10 PSC Employee: Gerald.wuetcher Notice of Filing, List of Hearing Exhibits, Hearing Log, Hearing Exhibits, and Video Transcript of 10-11 Aug 2010 Hearing.  
 08/18/10 Office of Ky. Attorney General OAG supplemental response to PSC requests, Item 5  
 08/16/10 Memorandum dated 8/16/2010 for Public Meeting of 7/28/2010; Comments, if any, due within five days of receipt  
 08/13/10 Response letter to Tom Dugan  
 08/09/10 Order Entered:  
 The AG's Motion to Compel KAWC to Provide Consolidated Accounting Information is denied and KAWC's objection to the AG's Request for Information is sustained.  
 08/09/10 Letter of Concern from Tom Dugan, Bluestone Geologic  
 08/09/10 Kentucky-American Water Company Legal Publications of Notice of Hearing  
 08/07/10 Kentucky-American Water Company Legal Publications of Notice of Hearing  
 08/06/10 Order Entered: (1) Hearing shall begin 9:00 a.m. EDT. (2) No opening or closing statements are permitted. (3) Direct examination of witnesses who present written prepared testimony is limited to authentication & adoption of that testimony. (4) Parties may cross-examine witness who has filed written and rebuttal testimonies on both testimonies when witness is presented. (5) Parties shall present evidence in following order: a. KAWC; b. AG; c. CAC; and d) LFUCG. (6) Cross-examination of witnesses in the following order: a) KAWC; b) AG; c) CAC; d) LFUCG; and e) Commission Staff. (7) Witnesses in the following order: a) Patrick L. Baryenbruch; b) James L. Warren; c) Nick O. Rowe; d) John J. Spanos; e) Linda C. Bridwell; f) Lance E. Williams; g) Keith L. Cartier; h) Sheila A. Miller; i) Michael L. Miller; j) Ralph Smith; and k) Jack E. Burch. (8) Exhibits shall be marked with party's name and sequential number. (9) Parties shall file responses to requests made at hearing no later than 8/21/10. (10) Written briefs filed no later than 9/3/10. (11) Reference to segment of the digital video record shall set forth the month, day, year, hour, minute, and second. (12) Counsel for PSC Staff shall retain custody exhibits and within seven days of the close of the hearing record, shall file written exhibit list, all exhibits and a copy of the digital video record.  
 08/05/10 Order Entered Denying Mr. Blyton's Request for Intervention  
 08/04/10 Memorandum dated 8/04/10 for Informal Conference of 7/28/10; Comments, if any, due within five days of receipt  
 07/30/10 Response letter to Mayor Bozarth, City of Midway  
 07/29/10 City of Midway's Letter of Concern  
 07/28/10 City of Midway's Letter of Concern  
 07/27/10 Kentucky-American Water Company Notice of newspaper publication request  
 07/27/10 Kentucky American Water's Required Newspapers for Publication  
 07/26/10 Response E-mail to Markus Cross  
 07/23/10 Public Comments E-mail from Markus Cross  
 07/21/10 Letter to Lindsey W. Ingram III granting Kentucky-American's petition for confidentiality filed 5/28/10 for protection of certain information

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07/20/10 Kentucky-American Water Company Rebuttal Testimony  
07/19/10 Kentucky-American Water Company KAW Rebuttal Testimony  
07/16/10 KAWs Base Period Update and Supplemental Discovery Responses  
07/15/10 Kentucky-American Water Company KAWs Base Period Update and Supplemental Discovery Responses  
07/12/10 Lexington-Fayette Urban County Government Exhibits to LFUCG Responses to KAW  
07/12/10 Attorney General's Supplemental Response to KAWC Request, Item 35.  
07/12/10 Attorney Generals Response to Staffs First Set of Information Requests and KAW's Data Request.  
07/12/10 Lexington-Fayette Urban County Government Exhibits to LFUCG Responses to KAW  
07/09/10 Office of Ky. Attorney General Supplemental Response to KAWC Request, Item 35.  
07/09/10 Office of Ky. Attorney General Attorney Generals Response to Commission Staffs First Set of Information Requests and Response to Kentucky-American Water Company's Data Request.  
07/09/10 Lexington-Fayette Urban County Government Responses to Data Requests of Kentucky-American Water Company  
07/09/10 Lexington-Fayette Urban County Government's Responses to PSC Staff's First Set of Information Requests  
07/08/10 Lexington-Fayette Urban County Government Responses to Commission Staffs First Set of Information Requests  
06/28/10 KAW's Information Requests to LFUCG and AG  
06/25/10 Kentucky-American Water Company KAWs Information Requests to LFUCG and AG  
06/25/10 Commission Staff's first set of information requests to the AG  
06/25/10 Commission Staff's first set of information requests to the LFUCG  
06/16/10 Letter to Lindsey W. Ingram, III granting Kentucky-American Water Company's petition for confidentiality filed 3/16/10 for protection of certain information  
06/16/10 Letter to Lindsey W. Ingram, III granting Kentucky-American Water Company's petition for confidentiality filed 4/26/10 for protection of certain information  
06/14/10 Lexington-Fayette Urban County Government's Notice of Filing Testimony and Direct Testimony of Richard A. Baudino  
06/14/10 Attorney Generals Pre-Filed Direct Testimony for Ralph Smith and Dr. J. Randall Woolridge  
06/11/10 Office of Ky. Attorney General Notice of direct testimony  
06/11/10 Office of Ky. Attorney General Attorney Generals pre-filed direct testimony - public version  
06/11/10 Lexington-Fayette Urban County Government Direct Testimony of Richard A. Baudino  
06/10/10 Bates and Skidmore Pre-filed direct testimony of Jack E. Burch  
06/10/10 CAC's Pre-filed direct testimony of Jack E. Burch  
06/01/10 KAWs responses to: CACs Second Information Request; LFUCGs Second Information Request; and Commission Staffs Third Information Request.  
05/28/10 Kentucky-American Water Company KAWs responses to: CACs Second Information Request; LFUCGs Second Information Request; and Commission Staffs Third Information Request.  
05/28/10 Kentucky-American Water Company KAWs Petition for Confidential Treatment  
05/25/10 KAWs Responses to the AGs Second Set of Information Requests (Original)  
05/24/10 Memorandum dated 5/21/10 for Informal Conference of 5/10/10; Comments, if any, due within five days of receipt  
05/24/10 Kentucky-American Water Company KAWs Responses to the AGs Second Set of Information Requests  
05/24/10 Kentucky-American Water Company KAWs Petition for Confidential Treatment  
05/24/10 KAWs Petition for Confidential Treatment  
05/19/10 KAWs Response to AGs Motion to Compel (Original/Electronic Receipt)  
05/18/10 Kentucky-American Water Company KAWCs Response to AGs Motion to Compel  
05/17/10 Lexington-Fayette Urban County Government's Supplemental Requests for Information  
05/14/10 Commission Staff's Third Set of Information Requests to Kentucky-American Water Company  
05/14/10 Lexington-Fayette Urban County Government Supplemental Requests for Information  
05/12/10 Bates and Skidmore Supplemental Request for Information on Behalf of CAC to Kentucky American Water Company and cover letter  
05/12/10 Supplemental Request for Information on Behalf of CAC to Kentucky American Water Company and cover letter (Original/Electronic Receipt)  
05/10/10 Commission Staff's Notice of Telephone Conference Call  
05/10/10 Attorney Generals Second Request for Information to Kentucky-American Water Company  
05/10/10 Attorney Generals Motion to Compel KAWC to provide consolidating accounting information

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05/09/10 Office of Ky. Attorney General Attorney Generals Second Request for Information to Kentucky-American Water Company

05/07/10 Office of Ky. Attorney General Attorney Generals Motion to Compel KAWC to provide consolidating accounting information

05/04/10 KAWs Supplemental Responses to AG1 Items 15 and 47 (Original/Electronic Receipt)

05/03/10 Kentucky-American Water Company KAWs Supplemental Responses to AG1 Items 15 and 47

04/30/10 Kentucky-American Water Company KAWs Responses to: (1) CACs First Set of Information Requests; (2) LFUCGs First Set of Information requests; and (3) Commission Staffs Second Set of Information Requests.

04/30/10 Kentucky-American Water Company Petition for Confidential Treatment

04/30/10 KAW's Petition for Confidential Treatment

04/30/10 KAWs Responses to: (1) CACs First Set of Information Requests; (2) LFUCGs First Set of Information requests; and (3) Commission Staffs Second Set of Information Requests(Original/Electronic Receipt)

04/26/10 Kentucky-American Water Company KAWs Responses to the Attorney Generals First Set of Information Requests

04/26/10 Kentucky-American Water Company KAWs Petition for Confidential Treatment

04/26/10 KAWs Responses to the Attorney Generals First Set of Information Requests (Original/Electronic File Receipt)

04/12/10 Lexington-Fayette Urban County Government's Requests for Information

04/09/10 Commission Staff's Second Set of Information Requests to Kentucky-American Water Company

04/09/10 Lexington-Fayette Urban County Government Initial Request for Information

04/08/10 Bates and Skidmore Initial Request for Information on Behalf of CAC and cover letter

04/08/10 Initial Request for Information on Behalf of CAC and cover letter (Original/Electronic File Receipt)

04/06/10 Order Entered:  
(1) A hearing in this matter shall be held on August 10, 2010 at 10:00 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.  
(2) Kentucky-American Water Company shall publish notice of this hearing in compliance with 807 KAR 5:001, Section 10(5).  
(3) The official record of these proceedings shall be by video only.  
(4) Any request to cancel or postpone this hearing shall be made by motion filed with the Commission at least one week before the hearing is scheduled to commence.

04/06/10 Attorney General's Request for Information to KAW

04/06/10 Attorney General's Request for information to KAW - revised to correct error (Original)

04/05/10 Office of Ky. Attorney General Request for information to Kentucky-American Water Company - revised to correct error

04/05/10 Office of Ky. Attorney General The Attorney Generals Request for Information to Kentucky-American Water Company

04/02/10 LFUCG's Notice (Original)

04/01/10 Lexington-Fayette Urban County Government Notice reagrding electronic notices and messages

04/01/10 Attorney General's Notice Regarding Electronic Notices and Messages (Original/Electronic Receipt)

03/31/10 Bates and Skidmore Response of CAC to February 16, 2010 Order

03/31/10 Office of Ky. Attorney General Attorney Generals Notice Regarding Electronic Notices and Messages

03/31/10 Bates and Skidmore Response of CAC to February 16, 2010 Order (Original/Receipt)

03/30/10 Order Entered Granting LFUCG's Motion to Intervene.

03/30/10 Order Entered Granting CAC's Motion to Intervene.  
Within five days of entry of this Order, CAS shall: (a) Notify the Commission and all other parties of record in writing of the electronic mail address to which all electronic notices and messages related to this proceeding shall be served. (b) File a written statement as to whether it, or its agent, is capable of receiving electronic transmission, and whether it waives its right to service of Commission Orders by United States mail in return for electronic notification of issuance of such Orders.

03/30/10 Order Entered Granting Attorney General's Motion to Intervene.

03/22/10 Response E-mail to Mary Gumberts

03/22/10 Public Comments E-mail from Mary Gumberts

03/19/10 Ordered Entered:  
Mr. Thompson's request for intervention is denied.

03/18/10 Response E-mail to Jon Elliott

03/18/10 Response E-mail to Linda Corridoni

03/18/10 Response E-mail to Katherine Kellerman

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03/18/10 Response E-mail to Amy Merritt  
03/18/10 Public Comments E-mail from Katherine Kellerman  
03/18/10 Public Comments E-mail from Linda Corridoni  
03/18/10 Public Comments E-mail from Katherine Kellermann  
03/17/10 Response E-mail to Martha Rosenberg  
03/17/10 Response E-mail to Carol Pinkston  
03/17/10 Response E-mail to Rhonda Barnett  
03/17/10 Response E-mail to Diana Troutman  
03/17/10 Response E-mail to Barbara Kenney  
03/17/10 Response E-mail to Earl Brady  
03/17/10 Order Entered:  
(1) The proposed rates set forth in Kentucky-American's application are suspended up to and including September 28, 2010.  
(2) The procedural schedule set forth in the Appendix to this Order shall be followed.  
(3) All documents filed with the Commission shall comply with the provisions of the Commission's Order of February 16, 2010.  
(4) Response shall be appropriately indexed and shall include name of witness responsible for responding. Each response shall be under oath or be accompanied by signed certification. A party shall make timely amendment to any prior response if obtain info which indicates response was incorrect. For any request which party fails to furnish all or part of info, party shall provide written explanation.  
(5) When Kentucky-American is required in this proceeding to provide notice of an event or filing, it shall , when requesting publication, forward a duplicate of the notice and request to the Commission.  
(6) At any hearing in this matter, neither opening statements nor summarization of written testimony shall be permitted.  
(7) Motions for extensions of time shall be made in writing and will be granted only upon a showing of good cause.  
(8) Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

03/17/10 Public Comments E-mail from Rhonda Barnett  
03/17/10 Public Comments E-mail from Earl Brady  
03/17/10 Public Comments E-mail from Diana Troutman  
03/17/10 Kentucky-American Water Company KAWs Responses to Commission Staffs First Set of Information Requests (Original)  
03/17/10 Public Comments E-mail from Barbara Kenney  
03/17/10 Public Comments E-mail from Carol Pinkston  
03/17/10 Public Comments E-mail from Amy Merritt  
03/17/10 Public Comments E-mail from Martha Rosenberg  
03/16/10 Kentucky-American Water Company KAWs Petition for Confidential Treatment  
03/16/10 Kentucky-American Water Company KAWs Responses to Commission Staffs First Set of Information Requests  
03/16/10 Response E-mail to Susan Stivers  
03/16/10 Public Comments E-mail from Susan Stivers  
03/16/10 Kentucky-American Water Company KAWs Petition for Confidential Treatment (original/electronic file receipt)  
03/15/10 Lexington-Fayette Urban County Government's Resolution No. 135-2010  
03/12/10 Lexington-Fayette Urban County Government's Resolution No. 135-2010 (fax)  
03/11/10 Response letter to Robert Norton  
03/11/10 Response letter to John and Joyce Everly  
03/11/10 Response letter to T. Schnell  
03/11/10 Response letter to Nicholas Altwies  
03/11/10 Kentucky-American Water Company Customer Notice Certification, Corrected Exhibit 11, Appendix A to Michael Millers Direct Testimony  
03/11/10 Kentucky-American Water Company Response to Requests for Intervention  
03/11/10 Kentucky-American Water Company Response to Requests for Intervention (Original/Electronic File Receipt)  
03/11/10 Kentucky-American Water Company Customer Notice Certification, Corrected Exhibit 11, Appendix A to Michael Millers Direct Testimony (Original)  
03/10/10 Letter of Concern from Tabitha Schnell

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03/09/10 Letter of Concern from Lovell Foushee  
03/09/10 Letter of Concern from John and Joyce Everly  
03/08/10 Letter of Concern from Ben Blyton  
03/08/10 Response E-mail to Beth Clemons  
03/08/10 Response E-mail to Deborah Sharp  
03/08/10 Public Comments E-mail from Beth Clemons  
03/08/10 Letter of Concern from Leslie Goode  
03/05/10 Lexington-Fayette Urban County Government Motion to Intervene (hard copy)  
03/05/10 Letter of Concern from Robert Norton  
03/04/10 Public Comments E-mail from Deborah Sharp  
03/04/10 No deficiency letter  
03/04/10 John Thompson's Petition to Intervene  
03/04/10 Letter of Concern from Nick Altwies  
03/04/10 Response E-mail to Dwayne Starkey  
03/03/10 Lexington-Fayette Urban County Government Motion to Intervene  
03/03/10 Public Comments E-mail from Dwayne Starkey  
03/01/10 Response E-mail to Gail Maxam  
03/01/10 Public Comments E-mail from J.D. Silvey  
03/01/10 Response E-mail to J.D. Silvey  
03/01/10 Kentucky-American Water Company Application and supporting materials (Original)  
02/26/10 Kentucky-American Water Company Application and supporting materials  
02/26/10 Attorney General's Motion to Intervene with Notice Regarding Service of Orders  
02/26/10 Public Comments E-mail from Gail Maxam  
02/24/10 Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties Motion for Full Intervention  
02/24/10 CAC, Bourbon, Harrison, and Nicholas Counties Motion for Full Intervention (Original & Electronic File Receipt)  
02/23/10 PSC staffs first set of information requests to Kentucky American Water Company  
02/19/10 Kentucky-American Water Company Response (Original & Electronic Receipt)  
02/18/10 Kentucky-American Water Company Response  
02/16/10 Order Entered:  
Kentucky-American's request for a deviation from 807 KAR 5:001 is granted. When conflict exists between the procedures set forth in 807 KAR 5:001 and those established in this Order, the parties shall comply with the later.  
Unless the Commission requires otherwise, all parties shall file an original and one copy in paper and one copy in electronic medium.  
Within five days of date of this Order, Kentucky-American shall notify Commission in writing e-mail addresses to which all electronic notices and messages related to this proceeding should be served. Kentucky-American shall file within five days of the date of this Order, a statement as to whether it, or its agent is capable of receiving electronic transmissions and whether it waives its right to service of Commission Orders by United States mail. Each party granted leave to intervene in this proceeding after the date of this Order shall file such statement within five days of entry of the Order granting it intervention.

01/27/10 Acknowledge Receipt of Filing  
01/27/10 Kentucky-American Water Company's request for deviation to file in electronic form  
01/27/10 Kentucky-American Water Company's notice of intent to file application for an increase in rates supported by a forecasted test year

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Total Number of Cases: 1