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Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of November 28, 2024***2014-00084**

RECEIVED: 03/07/14

FILED: 08/21/14

FINAL: 08/03/15

REOPENED:

SUSPENSION DATE:

CASE CODE

Construct

UTILITIES:

Jessamine-South Elkhorn Water District

INTERVENORS: Kingsley-AG

HEARINGS:

02/11/15 Formal Hearing
 02/10/15 Formal Hearing
 04/21/14 Teleconference
 04/11/14 Teleconference

INDEX OF EVENTS:

05/25/17 POST CASE: Jessamine-South Elkhorn Water District Construction Report with As Builts
 08/25/16 POST CASE: JSEWD Notice of 50% Completion
 04/15/16 POST CASE: JSWED Notice of Construction Commencing
 04/07/16 POST CASE: Jessamine-South Elkhorn Water District Notice of Construction Start Date
 02/12/16 POST CASE: Jessamine-South Elkhorn Water District Notice of Award of Contract
 08/03/15 Final Order Entered: 1. JSEWD's current application for approval of financing is dismissed, without prejudice. 2. JSEWD is granted a CPCN to proceed with the proposed construction of the 750,000-gallon elevated water storage tank as set forth in its Application. 3. JSEWD shall notify the Commission prior to performing any additional construction not expressly authorized by this Order. 4. Any deviation from the construction approved shall be undertaken only with the prior approval of the Commission. 5. JSEWD shall notify the Commission in writing one week prior to the actual start of construction and at the 50 percent completion point. 6. JSEWD shall file with the Commission documentation of the total costs of this project, including the cost of construction and all other capitalized costs, (e.g., engineering, legal, administrative) within 60 days of the date that construction is substantially completed. Construction costs shall be classified into appropriate plant accounts in accordance with the Uniform System of Accounts for water utilities prescribed by the Commission. 7. JSEWD shall file a copy of the "as-built" drawings and a certified statement that the construction has been satisfactorily completed in accordance with the contract plans and specifications within 60 days of the substantial completion of the construction certificated herein. 8. JSEWD shall require construction be inspected under general supervision of a licensed professional engineer with KY registration
 07/23/15 Order Entered: JSEWD's February 4, 2015 Motion to Incorporate Documents is granted.
 2. JSEWD's April 8, 2015 Motion to Take Administrative Notice is granted.
 3. JSEWD's April 21, 2014 Objection and Motion to Strike is denied.
 04/24/15 Forest Hills Residents' Assoc. Response to Motion
 04/21/15 JSWED Motion to Strike
 04/08/15 Jessamine-South Elkhorn Water District Post Hearing Brief
 04/08/15 Jessamine-South Elkhorn Water District Motion to Take Notice
 04/08/15 Forest Hills Residents Assoc., Inc. Post Hearing Brief
 04/06/15 AG's Post Hearing Brief
 04/02/15 Letter Filing Document into the Record
 03/18/15 Response E-mail to Michael and Kim Galasso
 03/11/15 Jessamine-South Elkhorn Water District Notice of Publication
 03/11/15 Jessamine-South Elkhorn Water District Response to Post-Hearing Request
 03/11/15 Forest Hills Neighborhood Assoc Response to Post-Hearing Request
 02/23/15 Notice of Filing
 02/06/15 Forest Hills Residents' Association Inc. Request to Deny Motion
 02/06/15 Jessamine-South Elkhorn Water District's Reply to Forest Hills Resident's Association, Inc.'s Response to Motion to Incorporate Documents
 02/04/15 JSEWD motion to incorporate documents

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01/30/15 Jessamine-South Elkhorn Water District's Supplemental Response to Forest Hills Residents' Association, Inc. First Request for Information

01/29/15 Order Entered: 1. Notice is given to Jessamine County-City of Wilmore Joint Planning Commission ("Planning Commission") that the Commission will conduct a hearing in the above-styled matter on February 10, 2015, to consider Jessamine-South Elkhorn Water District's application to construct a 750,000-gallon water storage facility in Jessamine County. The Planning Commission may submit written comments to the Commission regarding these proposed facilities or may request intervention in these proceedings. 2. A copy of this Order shall be served upon the Planning Commission.

01/20/15 AG Amended Letter for Entry of Appearance

01/16/15 AG's Office of Rate Intervention Entry of Appearance

01/14/15 Jessamine -South Elkhorn Water District Notice of Filing and Rebuttal Testimony of William L. Berkley, John G. Horne and L. Nicholas Strong

01/07/15 Order Entered: 1. JSEWD's request to submit its Application for a CPCN for a decision on the record is denied. 2. JSEWD's request to compel Forest Hills to respond to Items 16 through 19 of JSEWD's November 12, 2014 Request for Information is denied. 3. JSEWD's request for the Commission to identify issues to be addressed during the February 10, 2015 Hearing, including the limitation or exclusion of siting and real estate valuation issues, is denied. 4. JSEWD's request for postponement of the date to file its rebuttal testimony is granted. 5. JSEWD shall file its rebuttal testimony no later than January 14, 2015.

12/23/14 Applicants reply to Forest Hills residents association response to applicants motion to submit the application for determination on the record

12/18/14 Response of Forest Hills residents to motion of Jessamine South Elkhorn WD

12/15/14 Jessamine-South Elkhorn Water District Motion to Submit Application for Determination on the Record or in Alternative Compel Intervenor's Responses to Certain of Applicant's Information Requests

11/26/14 Forest Hills Residents response to request for info by Jessamine South Elkhorn WD

11/12/14 JSEWD requests for info to Forest Hills Residents Assoc. Inc.

11/12/14 JSEWD supplemental responses to Forest Hills Residents Association Inc.'s first requests for info

10/29/14 Testimony of Logan Davis, Michael Ritchie and Clark Toleman on behalf of Forest hills Residents

10/15/14 Order Entered: (1) JSEWD's motion to a revised procedural schedule is granted. (2) The procedural schedule set forth in the Appendix attached hereto and incorporated herein shall be followed. (3) All provision of the September 8, 2014 Order that are not in conflict with the terms of this Order shall remain in effect.

10/15/14 Jessamine-South Elkhorn Water District Responses to Forest Hills Residents Association, Inc.'s First Request for Information

10/13/14 Order Entered: (1) For purposes on KRS 278.300, JSEWD's application for approval of financing for a waterworks improvement project will be considered accepted for filing when JSEWD completes and files the terms of the financing arrangement. (2) For purposes of KRS 278.020, JSEWD's application for a CPCN was accepted for filing as of August 21, 2014. (3) Forest Hills' motion for a hearing is granted. (4) A formal hearing in this matter shall be held beginning on Tuesday, February 10, 2015, at 10 a.m. EST, in the Commission's offices at 211 Sower Boulevard. (5) JSEWD shall publish notice of the scheduled hearing in accordance with 807 KAR 5:001, Section 9(2)(b), no more than 21 days and no less than seven days before the day of the scheduled hearing. (6) Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9)(a), the record of the formal hearing in this matter shall be by videotape. (7) Commission Staff shall prepare a written list of all exhibits presented at the hearing and shall file this list with the Commission with all hearing exhibits and a copy of the video transcript of the hearing. (8) 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.

10/10/14 Jessamine-South Elkhorn Water District Responses to Staff First Requests for Information

10/10/14 Jessamine-South Elkhorn Water District Motion to Extend Procedural Schedule

09/26/14 Forest Hills Residents Assoc. initial data requests to Jessamine South Elkhorn WD

09/24/14 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO JESSAMINE-SOUTH ELKHORN WATER DISTRICT

09/19/14 Attorney General's Reply to Applicant's Response and Written Statement Regarding the Request for Hearing

09/16/14 Jessamine South Elkhorn response to Forest Hills Residents request for hearing and response to Forest Hills Residents motion for clarification

09/09/14 Forest Hills Residents Association, Inc. Motion for Clarification of September 8, 2014 Order and Request for a Hearing

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- 09/08/14 Order entered: The procedural schedule set forth in the Appendix attached hereto and incorporated herein shall be followed.
2. Any request for a hearing shall be set forth in writing and filed with the Commission within 20 days of this Order.
3. a. Responses to requests for information shall be appropriately bound, tabbed, and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided, with copies to all parties of record and an original and ten copies to the Commission.
- b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.
- 08/22/14 Deficiency Cured Letter
- 08/21/14 Jessamine-South Elkhorn Water Notice of Filing, Signed & Sealed Specifications
- 08/15/14 Still Deficient Letter
- 08/11/14 Jessamine-South Elkhorn Water Notice of Filing
- 06/12/14 Jessamine-South Elkhorn Water District Response to Commission Order Entered June 5, 2014
- 06/05/14 Order Entered:
1. JSEWD shall file a report within seven days of the date of this Order explaining in detail the status of its efforts to cure the deficiencies.
 2. JSEWD shall state the amount of the anticipated grants and how long the grants will be available.
 3. JSEWD shall state when it intends to obtain bids for construction of the project.
- 04/23/14 Memorandum dated 4/22/14 for Informal Conference of 4/21/14; Comments, if any, due 5/1/14.
- 04/16/14 Commission Staff's Notice of Informal Conference
- 04/16/14 Order Entered:
1. Forest Hills' request for intervention in the instant proceeding is granted.
 2. Mr. Davis's request for intervention is denied.
 3. Forest Hills shall be 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.
 4. Should Forest Hills file documents of any kind with the Commission in the course of these proceedings, Forest Hills shall also serve a copy of said documents on all other parties of record.
 5. Jessamine-South Elkhorn's motions for leave to file a surreply and to incorporate certain documents that are on file in other Commission CPCN cases are granted.
- 04/11/14 Jessamine-South Elkhorn WD Motion to File Sur-Reply and to Incorporate Certain Documents by Reference
- 04/10/14 Forest Hills Residents Association and T. Logan Davis Reply to JSEW Response to Motion to Intervene
- 04/03/14 Jessamine-South Elkhorn Water District Applicant's Response to Motion to Intervene of Forest Hills Residents' Association Inc. and T. Logan Davis
- 04/02/14 OAG's Response to Motion of Forest Hills Residents' Association, Inc. and T. Logan David for Leave to Intervene
- 03/27/14 Forest Hills Resident's Association Inc. & T. Logan Davis's Motion for Leave to Intervene
- 03/24/14 Order Entered:
1. JSEWD's request to incorporate the record of Case No. 2012-00470 into this case is granted.
 2. JSEWD's request for a deviation from the requirement to submit a financial exhibit covering a 12-month period ending not more than 90 days prior to the date the application is filed is denied as moot.
 3. JSEWD's request for a deviation from filing plans and specifications until the Commission issues a determination regarding the appropriate size of the elevated water storage tank is denied.
 4. JSEWD's request for a deviation from filing copies of permits until the Commission issues a determination regarding the appropriate size of the elevated water storage tank is denied.
 5. JSEWD's request for a deviation from filing specific financing arrangements until the Commission issues a determination regarding the appropriate size of the elevated water storage tank is denied.
 6. To the extent that JSEWD has requested the Commission to issue a determination regarding the appropriate size of the elevated water storage tank, that request is denied.
 7. The Application tendered by JSEWD on March 7, 2014, shall not be considered filed until JSEWD files the plans and specifications, copies of permits, and specific financing arrangements, including the

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amount of anticipated grants and the anticipated amount of issuance of indebtedness to support its request to construct a 750,000-gallon elevated water storage tank.

03/24/14 Order Entered: The motion is granted, and the Attorney General is hereby made a party to these proceedings.

03/20/14 Kentucky-American Water Company Written Statement

03/17/14 OAG Motion to Intervene

03/10/14 Acknowledge Receipt of Filing

03/07/14 Application of Jessamine-South Elkhorn Water District for a Certificate of Public Convenience and Necessity to construct and Finance a Waterworks Improvement Project Pursuant to KRS 278.020 and 278.300

Total Number of Cases: 1