

### **278.012 Water association subject to Public Service Commission -- Exceptions.**

Notwithstanding any other provisions of the Kentucky Revised Statutes, any water association formed for the purpose of furnishing water or sewer services to the general public pursuant to KRS Chapter 273 is deemed to be and shall be a public utility and shall be subject to the jurisdiction of the Public Service Commission in the same manner and to the same extent as any other utility as defined in KRS 278.010, except:

- (1) As provided in KRS 278.023; or
- (2) When a wholesale supplier selling water or providing sewage treatment to a water association increases its rates, the water association shall have the authority to increase its rates commensurate with the wholesale supplier without prior approval by the commission.

Within twenty (20) days after any such increase in rates, the association shall file its revised tariffs with the commission, together with a copy of the notice from its wholesale supplier showing the increase in the rate charged to the utility, and a statement of the volume of purchased water used or sewage treated to calculate the increase in rates. The commission shall approve the filing or establish revised rates by order no later than thirty (30) days after the above documents are filed with it. Prior to or at the time of the first billing of the new rates, the district shall give notice to its customers of the increase.

**Effective:** July 14, 1992

**History:** Amended 1992 Ky. Acts ch. 276, sec. 2, effective July 14, 1992. -- Amended 1988 Ky. Acts ch. 12, sec. 2, effective July 15, 1988. -- Amended 1986 Ky. Acts ch. 495, sec. 1, effective July 15, 1986. -- Amended 1982 Ky. Acts ch. 82, sec. 2, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 379, sec. 2, effective April 1, 1979. -- Created 1972 Ky. Acts ch. 310, sec. 1.