



**STOLL
KEENON
OGDEN**

PLLC
300 WEST VINE STREET
SUITE 2100
LEXINGTON, KY 40507-1801
MAIN: (859) 231-3000
FAX: (859) 253-1093

RECEIVED

SEP 26 2014

**PUBLIC SERVICE
COMMISSION**

MONICA H. BRAUN
DIRECT DIAL: (859) 231-3903
Monica.Braun@skofirm.com

September 26, 2014

HAND DELIVERED

Hon. Jeff Derouen
Executive Director
Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40601

Jessamine-South Elkhorn Water District
Case No. 2014-00084

Dear Mr. Derouen:

Please find enclosed for filing on behalf of Forest Hills Residents' Association, Inc. in the above-captioned case an original and ten copies of its Initial Data Requests to Jessamine-South Elkhorn Water District. Thank you in advance for your assistance.

Sincerely,

Stoll Keenon Ogden PLLC

Monica H. Braun

MHB/dgr
Enclosures

114681.140074/4312861.1

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED
SEP 26 2014
PUBLIC SERVICE
COMMISSION

In the Matter of:

APPLICATION OF JESSAMINE-SOUTH)
ELKHORN WATER DISTRICT FOR A)
CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO) CASE NO. 2014-00084
CONSTRUCT AND FINANCE A)
WATERWORKS IMPROVEMENT)
PROJECT PURSUANT TO KRS 278.020)
AND 278.300)

**FOREST HILLS RESIDENTS' ASSOCIATION, INC.'S INITIAL DATA REQUESTS TO
JESSAMINE-SOUTH ELKHORN WATER DISTRICT**

Forest Hills Residents' Association, Inc. ("Forest Hills") respectfully submits the following data requests to the Jessamine-South Elkhorn Water District ("District"), to be answered by the date specified in the procedural schedule established by the Kentucky Public Service Commission ("Commission") in this matter on September 8, 2014.

Instructions

1. As used herein, "Documents" include all correspondence, memoranda, notes, e-mail, maps, drawings, surveys or other written or recorded materials, whether external or internal, of every kind or description in the possession of, or accessible to, the District, its witnesses, or its counsel.
2. Please identify by name, title, position, and responsibility the person or persons answering each of these data requests.
3. These requests shall be deemed continuing so as to require further and supplemental responses if the District receives or generates additional information within the

scope of these requests between the time of the response and the time of any hearing conducted herein.

4. To the extent that the specific document, work paper, or information as requested does not exist, but a similar document, work paper, or information does exist, provide the similar document, work paper, or information.

5. To the extent that any request may be answered by a computer printout, spreadsheet, or other form of electronic media, please identify each variable contained in the document or file that would not be self-evident to a person not familiar with the document or file.

6. If the District objects to any request on the ground that the requested information is proprietary in nature, or for any other reason, please notify the undersigned counsel as soon as possible.

7. For any document withheld on the ground of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown or explained; and the nature and legal basis for the privilege asserted.

8. In the event any document requested has been destroyed or transferred beyond the control of the District, its counsel, or its witnesses, state: the identity of the person by whom it was destroyed or transferred and the person authorizing the destruction or transfer; the time, place and method of destruction or transfer; and the reason(s) for its destruction or transfer. If such a document was destroyed or transferred by reason of a document retention policy, describe in detail the document retention policy.

9. If a document responsive to a request is a matter of public record, please produce a copy of the document rather than a reference to the record where the document is located.

Data Requests

1. Please provide a copy of any and all analyses, studies, reports or other documents that analyze or review the selection of the proposed site for the water tank and any and all alternative sites considered not previously produced in Case No. 2012-00470.

2. Please provide all paper correspondence, e-mails or other documentation not previously produced in Case No. 2012-00470 in the possession of the District, John Horne, Christopher Horne, Nick Strong, Dallam B. Harper, Jr., or William Berkley, Jr., that relates in any way to the storage of water or the decision to construct a water storage tank on the site proposed in this proceeding.

3. Please provide all economic studies that support the decision to build the proposed water storage tank on the site proposed in this proceeding. If none exist, explain why not.

4. Please provide all responses to any RFPs; all requests for bids; and all bids received for the construction of a water storage tank at the site proposed in this proceeding. If no RFPs were issued and/or no bids were requested and/or received, explain why not.

5. Please list each and every potential site the District considered and rejected for the water tank proposed in this proceeding since February 22, 2013. For each site, please provide:

(a) A map showing the location of the potential site. If a map is unavailable, provide the address of the site or other description so as to permit reasonable identification of the location;

(b) All documents on which the District relied in evaluating and/or considering each site; and

(c) All documents the District provided to or received from Horne Engineering, Inc. or any other person or entity providing engineering or consulting services with regard to each site.

6. For each potential site identified in response to Data Request No. 5, please provide a detailed explanation as to why it was not selected and/or deemed unacceptable.

7. Please produce all documents not previously produced in Case No. 2012-00470 containing or relating to communications by representatives of the District with property owners affected by the water tank proposed in this proceeding, including residents of Forest Hills subdivision.

8. Please produce all documents not previously produced in Case No. 2012-00470 containing or relating to studies, evaluations, discussions and/or communications, prepared by or on behalf of the District with regard to the water tank proposed in this proceeding.

9. Please explain any changes in the District's methodology and/or criteria for siting water tanks since the Commission's final order in Case No. 2012-00470.

10. Please provide a copy of each geotechnical analysis that was performed after the geotechnical analysis that was produced in Case No. 2012-00470 on a potential site for the water tank proposed in this proceeding.

11. Please produce all photographs, diagrams, drawings, renderings or other depictions of the water tank proposed in this proceeding.

12. Please produce all surveys, plats, or similar documents pertaining to the water tank proposed in this proceeding.

13. Please produce statistics regarding the size of the water tank proposed in this proceeding, including the capacity, height, width of the legs and the diameter of the tank.

14. Please describe all steps taken by the District to reduce the visual impact of the water tank proposed in this proceeding.

15. Please produce all documents containing or relating to studies, reports or other written documentation of any problems supplying customers of the District with water since January 1, 2013.

16. Please identify, explain in detail and provide all facts and documents that record, describe, support, refer to or relate to the District's best estimate of the annual cost it will incur to operate the water tank proposed in this proceeding and describe any problems it will experience if this proposed water tank is not constructed at the proposed site.

17. Please list the number of meters each year on the District's system from the date of the last meter reported in Case No. 2012-00470 to date, setting forth the information for the Northwest Service Area in the manner provided in response to Forest Hills' Supplemental Request for Information No. 22 in Case No. 2012-00470.

18. From the date last reported in Case No. 2012-00470 to date, please update Table 12 that was provided in response to Forest Hills' Supplemental Request for Information No. 26, setting forth the usage in the Northwest Service Area.

19. Please produce any and all studies, analyses, projections and forecasts of the future demand for water by customers of the District prepared after the date of studies, analyses, projections and forecasts of future demand for water in Case No. 2012-00470.

20. Please produce all documents not previously produced in Case No. 2012-00470 containing or relating to communications with the City of Nicholasville relating to the provision of storage of water for the District by the City or to the purchase of water by the Water District from the City.

21. Please produce all documents not previously produced in Case No. 2012-00470 containing or relating to communications with Kentucky-American Water Company (“KAWC”) relating to the provision of storage of water for the District by KAWC or relating to any changes or differences in the purchase of water from KAWC by the District.

22. Please produce all documents prepared after December 1, 2012, containing or relating to the District’s Capital Improvement Programs.

23. Please provide a map(s) of the District’s distribution system prepared after December 1, 2012, that includes the size of the waterlines.

24. Please produce all documents submitted to or received from the Kentucky Infrastructure Authority relating to a water storage tank proposed to be constructed by the District at the site described in the Application or any other site within the District’s service area.

25. Please produce all documents in the possession, custody or control of the District that were submitted to or received from either house of the Kentucky General Assembly or to or from any committee of either house of the Kentucky General Assembly or to or from any member of the General Assembly or to or from any aides or employees on the staff of any member of the General Assembly relating to the storage of water by the District or the legislative grants described in paragraph 7, 12(e), and 16 of the Application in this proceeding.

26. Please provide all documents the District submitted to or received from the Kentucky Rural Water Finance Corporation with regard to loans and/or funding for the project proposed in this proceeding.

27. Please provide the minutes and attendance logs from any and all meetings of District representatives in which the water tank proposed in this proceeding or the storage of

water was mentioned or discussed since the date of the most recent minutes produced in Case No. 2012-00470.

28. Please identify all persons that participated in the preparation of the Storage Analysis dated March 1, 2014, and attached to the Application in this proceeding and state in detail what each person did in the preparation of the Storage Analysis.

29. Please provide all workpapers, spreadsheets, analyses, source documents and other documents utilized in the preparation of the Storage Analysis dated March 1, 2014, and attached to the Application in this proceeding.

30. Please explain the status of the legislative grants referred to in paragraphs 7, 12(e) and 16 of the Application, including without limitation the dates of expiration of the grants and any limitations on the location of the project(s) for which the grants will be utilized.

31. Please provide all documents relating to or containing the legislative grants referred to in paragraphs 7, 12(e) and 16 of the Application, including without limitation all documents relating to the District's request that grants 355N-2007, 356N-2007 and 357N-2007 be reassigned to the "Catnip Hill Project."

32. Explain the basis for the following statement in the letter dated March 7, 2014, from Bruce E. Smith to Jeff R. Derouen that transmitted the Application in this proceeding to the Commission: "Because these grants have been pending for some time, the District also believes that unless some progress is made on or before June 1, 2014 towards bringing this project closer to completion, the grant funds may be reallocated to other entities."

33. Please provide all documents relating to fire protection that the District sent to or received from fire underwriter's organizations, Insurance Services Organization Office or the Fire Insurance Rating Office in Kentucky since December 1, 2012.

34. Please provide a description of all professional training received by Dallam B. Harper, Jr. in population projection, including without limitation the name of the institution providing the training, the date of each course of training and a curriculum for each course of training.

35. Please provide all workpapers, spreadsheets, analyses, source documents and other documents utilized by Dallam B. Harper, Jr. in the preparation of the “Population Projections Jessamine-South Elkhorn Water District 2015-2050” attached to the testimony of Mr. Harper.

36. Please identify all persons who participated in the preparation of the “Population Projections Jessamine-South Elkhorn Water District 2015-2050” attached to the testimony of Mr. Harper.

37. Aside from the “Population Projections Jessamine-South Elkhorn Water District 2015-2050” attached to the testimony of Mr. Harper:

- (i) State the number of population growth studies that Mr. Harper has prepared;
- (ii) The name of each study;
- (iii) The entity for which each study was prepared; and
- (iv) The date that each study was prepared.

38. Refer to the Hydraulic Analysis and accompanying 72-hour EPS Hydraulic Model (collectively, “Model”) submitted with the District’s Application. State which version of KYPIPE software was used to create the Model.

39. Refer to page 4, lines 9-11 of Christopher Horne’s testimony that was submitted with the District’s Application.

(a) State each and every “standards of the industry” to which Mr. Horne refers.

(b) Provide a complete copy of each and every “standard[] of the industry” referenced in response to subpart (a) of this request.

40. Provide the date that the District decided to pursue constructing a 750,000 gallon elevated water storage tank.

41. Refer to pages 5-6 of Christopher Horne’s testimony that was submitted with the District’s Application. Provide all calculations, formulas, and analyses on which the District relied to determine the “required storage and volume” of the proposed elevated water storage tank, including all documents related to same.

42. Provide all documents on which the District relied in calculating and/or estimating the cost of constructing:

(a) A 750,000 gallon elevated water storage tank;

(b) A 500,000 gallon elevated water storage tank; and

(c) Any other size tank the District has considered since the Commission’s Final Order in Case No. 2012-00470.

(d) If no such documents are available, explain fully and in detail how the District estimated the costs of a 750,000 gallon and 500,000 gallon elevated water storage tank in this proceeding.

43. Have any of the estimated costs of constructing a 750,000 gallon or 500,000 gallon elevated water storage tank changed since the date the District decided to pursue constructing a 750,000 gallon elevated water storage tank?

(a) If yes, please provide each and every change and the reasons for same, including any and all documents on which the District relied.

44. Refer to Christopher Horne's testimony that was submitted with the District's Application. Fully explain what "equalization" means and how it affects the District's proposed construction in this proceeding.

45. Refer to page 7 of Christopher Horne's testimony that was submitted with the District's Application. Provide a list of any voluntary or involuntary water restrictions the District has imposed in the Northwest service area since 2004, including:

- (a) The date the restriction was imposed;
- (b) The nature of the restriction;
- (c) The affected customer classes; and the
- (d) The length of the restriction.

46. Refer to page 8 of Christopher Horne's testimony that was submitted with the District's Application. Explain fully why a lag pump is an inefficient way to provide storage.

47. Refer to the Model that was submitted with the District's Application. Confirm that the Model is based on demand data from 2010.

48. What demand data did the District use in the hydraulic model that was provided to the Commission on December 12, 2012 in Case No. 2012-00470?

49. Provide the District's actual usage totals for calendar years 2011, 2012, and 2013 broken down by usage at:

- (a) Clays Mill Road Meter #1;
- (b) Clays Mill Road Meter #2;
- (c) Keene Road #1; and

(d) Keene Road #2.

50. Provide the current actual usage totals for calendar year 2014 broken down by usage at:

(a) Clays Mill Road Meter #1;

(b) Clays Mill Road Meter #2;

(c) Keene Road #1; and

(d) Keene Road #2.

51. Refer to the Model that was submitted with the District's Application. How did the District determine that February 9, 2011 was "a representative sample of what is expected of from the hydraulic grade line provided to the Jessamine-South Elkhorn Water District pump station."

52. What date did the District use as a representative sample of what is expected of from the hydraulic grade line provided to the District's pump station in the hydraulic model that was provided to the Commission on December 12, 2012 in Case No. 2012-00470?

53. Refer to the Model that was submitted with the District's Application. Describe fully and in detail how the demand factors were calculated, including all documents the District utilized.

54. What demand factors did the District use in the hydraulic model that was provided to the Commission on December 12, 2012 in Case No. 2012-00470?

(a) If any of the demand factors are different than those utilized in the hydraulic model in this case, describe fully and in detail the reason(s) for the change(s).

55. Refer to the Model that was submitted with the District's Application. How did the District select the initial volumes of water stored in the three tanks at the outset of the EPS?

56. Compare the Model that was submitted with the District's Application to the hydraulic model that was provided to the Commission on December 12, 2012 in Case No. 2012-00470. Why do the initial volumes of water stored in the three tanks differ?

57. Refer to the Model that was submitted with the District's Application. How did the District select the switching grades?

58. Why do certain of the switching grades in the Model submitted in this case differ from the switching grades in the hydraulic model that was provided to the Commission on December 12, 2012 in Case No. 2012-00470?

59. Refer to the Model that was submitted with the District's Application. How did the District select the diameter of the proposed tank?

60. List every input, assumption, and/or value selected by the District for use in the Model submitted in this case that differs from the hydraulic model that was provided to the Commission on December 12, 2012 in Case No. 2012-00470. Explain fully and in detail the reason for each difference.

61. Except for demand data, rerun and provide the results of the Model utilizing the exact inputs, assumptions, and/or values in the hydraulic model that was provided to the Commission on December 12, 2012 in Case No. 2012-00470.

Dated: September 26, 2014

Respectfully submitted,

Robert M. Watt, III
Monica H. Braun
Stoll Keenon Ogden, PLLC
300 West Vine Street, Suite 2100
Lexington, Kentucky 40507
859-231-3000
robert.watt@skofirm.com
monica.braun@skofirm.com

By Monica H. Braun

*Counsel for Forest Hills Residents'
Association, Inc.*

Certificate of Service

This is to certify that the foregoing pleading has been served by mailing a copy of same, postage prepaid, to the following person on this 26th day September 2014:

Bruce E. Smith, Esq.
Henry E. Smith, Esq.
Bruce E. Smith Law Offices, PLLC
201 South Main Street
Nicholasville, KY 40356

Jennifer Black Hans, Esq.
Gregory Dutton, Esq.
Assistant Attorneys General
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601

Anthony G. Martin, Esq.
P.O. Box 1812
Lexington, KY 40588

Monica H. Braun

*Counsel for Forest Hills Residents'
Association, Inc.*