

March 24, 2015

**Eastern Rockcastle Water Association**

9246 Main Street, Livingston, KY 40445

OR

P.O. Box 540, Mt. Vernon, KY 40456

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PUBLIC SERVICE  
COMMISSION

To whom it may concern:

**In accordance with the provisions of Kentucky Open Records Act, KRS. 61.870 to KRS. 61.884, I am requesting copies of the following information: (As the intervener I am requesting copies of information on all requested in the past and the present and in the future until this matter is resolved regarding water rate increases and/or tariff increases.) CASE NO. 2014-00385**

- A. I would like to request a copy of the Public Service Commission's waiver of the cost of Pongo Fire Department free water and water meter from 2007 to 2011. ***This would have been the waiver that Mr. Ballinger, (former President of Eastern Rockcastle Water Association, Inc.) spoke of in January 2011 minutes. Exhibit B:(Copy of Minutes, January 2011 attached) previously sent to Public Service Commission on February 11)***
- B. I would like to request a copy of Sparkman Backhoe Services and Katelynn McClure's Company's Liability and Workers Compensation insurance for October 2014, November 2014, and December 2014.
- C. I would like to request a copy of Work Order's of Mike McGuire's leaking meter on Big Cave Road from first notice of leak until installation of new water meter. Please provide copy of all work orders on McGuire water leakage.
- D. I would like to request a copy of the Work Order Clerk Hacker used when Clerk Hacker turned McGuire's water **meter on** located at Big Cave Road.
- E. I would like to request a copy of Eastern Rockcastle Water Association, Inc.'s Water Report to Public Service Commission for 2012 and 2013.
- F. I would like to request the total cost of water that Eastern Rockcastle Water Association Inc. lost in 2013. (Dollar Amount)



Item 2. Discussion was held on the recent line break(s) and related problems in the Sand Springs/Pongo area of the county serviced by ERWA. It was concluded that there were several incidents that led to the problems; among them being breaks, pressure issues, pump failure, and the number of days and nights of below-freezing temperatures causing cracks and/or breaks in the lines.

During the work associated with the repairs and corrections of these problems, it was discovered that the Pongo Fire Department has been for several years had water service through a water meter that had never been recorded in the ERWA records and accounted for in the billing system. No records could be found of the meter being paid for or being installed for the use of the firehouse. At this point, Mr. Tony Bullock, Fire Chief of the Pongo Volunteer Fire Department, was invited into the meeting as representative of the Pongo/Sand Springs area ERWA customers as well as the Pongo VFD.

Mr. Bullock explained the fire departments position. He stated that the fire department personnel, in lieu of paying the cost of a meter, had supplied the labor and equipment for ERWA to move two (2) meters that had to be relocated when the fire department building was under construction, and install a meter for VFD use. The VFD would be using a garden hose from the meter to fill their tanker trucks as there was no hydrant at that time.

It was noted by ERWA that a hydrant had been installed in 2009 when the ERWA tank was built next to the fire department. The water through the meter has since been used for the fire department meetings and non-related fire fighting activities, such as fund raisers, chili suppers, etc. Further, it was also noted that no reports have been filed with ERWA by the VFD of water drawn from the hydrant for fighting fires or for training.

After a lengthy discussion, President Ballinger asked that the records show he proposed a motion be made that ERWA suspend all penalties (with PSC approval) and as of January 2011 the meter for the VFD be on record, with a bill being issued each month for regular use. In addition, the water from the hydrant is to be reported each month as stated in the ERWA by-laws. Lee Bivins made the motion with a second by Dell Ponder.

Item 3. Mr. Bullock then questioned the board about the lack of an easement being obtained for the driveway at the Pongo water tank. Mr. Bullock stated that the property belongs to him. After discussion, let the records show that Mr. Tony Bullock, in the presence of the ERWA Board of Directors and an employee, agreed that ERWA board members and employees have right to access the water tank across his property as long as David Ballinger is president of the water association. Mr. Bullock further agreed to re-negotiate in the event that the president changes, or, will sell easement rights to the water association for the cost of one year of water at base rate of \$271.92 (12 months @ 22.66 per month).