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Public Service
Commission

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In The Matter of:

APPLICATION OF MURRAY NO. 2 WATER)
DISTRICT REQUESTING DEVIATION FROM)
REQUIREMENTS OF 807 KAR 5:066,)
SECTION 4(4))

Case No. 2016-400

Response on Behalf of Murray No. 2 Water District

Comes now the Calloway County Attorney, after having reviewed the Commission Staff's request for Information, hereby states as follows:

The Calloway County Attorney must candidly apologize to this Commission for not responding to its request for information in the time period prescribed in the notice. It was not until David Spenard, a staff attorney for the Commission, called my office that I was first aware that the notice had even been sent. It was sent to my email and honestly I overlooked it, for that I am truly sorry. Additionally, this is the first time I have had to file an application and go through the process with the Public Service Commission and I was under the impression, incorrectly, that it was a less formal process to ask for a deviation from 807 KAR 5:066 4(4). Please again accept my apology.

It was relayed to me that I must formally ask this Commission for an Extension of time to file this Response to the Commission's Questions. I hereby request this extension and would greatly appreciate you allowing me to file it. Assuming arguendo that this Commission agrees to accept the answers to their questions, I have provided the answers below. I will address your questions in seriatim.

Answer to Question Number 1: Please see the Attached Letter from the City of Murray to the No. 2 Water District. I believe the letter speaks for itself and gives the Commission a time frame of transfer.

Answer to Question Number 2: It is our understanding that the Commission is asking if

the service of water from the City of Murray to the No. 2 Water District has ever been discontinued even on a temporary basis? Marty Futrell, who is chairman of the No. 2 Water District, and has been a member for approximately 20 years, cannot remember a time when service was discontinued from the City of Murray to the No. 2 Water District. He cannot be 100 percent certain but to the best of his knowledge he recalls the city providing a constant supply of water to the district. There was an incident where a car wreck caused a temporary water outage for approximately 45 minutes, but that was not due to the fault of the City of Murray. This was a territorial pressure drop, not a district wide outage. Additionally, it should be noted that the City of Murray provides maintenance for the entire water district.

Answer to Question Number 3: Marty Futrell, cannot remember a time when the construction of a storage facility was investigated. The City of Murray has enough water to supply the No. 2 Water District and then some. There has never been a need for a water tower. Construction of a water tower would be a significant financial burden on the members of the water district, while at the same time providing no benefit due to the fact that the City of Murray Supplies all of its water. In the past years the District has sent a letter to the State requesting a deviation from compliance with the water storage requirements and the deviation has been granted every time to the best of his knowledge.

Answer to Question Number 4: Marty Futrell, who is chairman of the No. 2 Water District, and has been a member for approximately 20 years does not remember a time period when a water storage tank was located in the water district. The City of Murray has always supplied the water. Every once in a while the Commonwealth of Kentucky would send a notice to the District that he needed to ask for a deviation for the requirements of the water storage. The District would send a letter to the state and it was his understanding that the deviation was granted and everything was satisfactory. Mr. Futrell believes that every time a deviation was submitted it has been granted.

WHEREFORE, Murray No. 2 Water District hereby requests that this Commission grant its request for an enlargement of time to Answer its Questions, and after reviewing its Answers to the Commission's Questions, this Commission grants the Murray No. 2 Water District a deviation for complying with 807 KAR 5:066, Section 4(4).

This the ___ day of June, 2017.



K. BRYAN ERNSTBERGER
Calloway County Attorney
204 S. 6th St.
Murray, KY 42071
(270) 753-3312

I have helped Mr. Ernstberger by providing him information to the best of my knowledge to answer this Commission's Questions. I have reviewed the above provided Answers and believe them to be true and accurate to the best of my knowledge, information, and belief.



MARTY FUTRELL
Chairman No. 2 Water District
201 New Providence Rd.
Murray, KY 42071

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was mailed this the 18th day of November, 2015, to the following:

Murray No. 2 Water District
201 New Providence Road
Murray, KY 42071

Marty Futrell
201 New Providence Road
Murray, KY 42071

Talina Mathews
Executive Director
Public Service Commission
PO Box 615
Frankfort, KY 40602

A handwritten signature in black ink, appearing to read "K. Bryan Ernstberger". The signature is written in a cursive style with a large initial "K" and "B".

K. Bryan Ernstberger, ESQ.

CITY OF MURRAY PUBLIC WORKS AND UTILITIES

Gas / Water / Wastewater / Street / Sanitation

200 Andrus Drive
Murray, Kentucky 42071

Phone 270-762-0336
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June 2, 2017

Marty Futrell, Chairman
Murray #2 Water District
201 New Providence Rd
Murray, KY 42071

RE: Negotiations with City of Murray Water System

Dear Mr. Futrell:

The City of Murray Water System is moving one step closer to an Agreement with Murray #2 Water District with the award of an engineering agreement with Bacon, Farmer, Workman (BFW) involving two scope items specifically related to Murray #2 Water District.

Those two scope items include a study of Murray #2 Water District including a map of the system, demand data analysis, water loss analysis, water meter readings summary, fire hydrant locations, fire hydrant flow testing, draft language for an Agreement to acquire the District, and recommended improvements. The second item is the design of an interconnector water main along Outland School Road between the City of Murray System (old Water District #1) and Water District #2.

The schedule looks like we would enter into negotiations with Murray #2 Water District the first quarter of 2018. Please let us know if you have any questions regarding this work, or the anticipated schedule. Thank you Marty.

Sincerely,



Thomas J. Kutcher
Director of Public Works & Utilities
City of Murray, KY

Cc: Mayor Jack Rose
Engineering Director, David Roberts
Finance Director, Luke Crawford
City Clerk, James Osborne
City Attorney, Warren Hopkins