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PUBLIC SERVICE COMMISSION

Black Mountain Utility District Baxter, Kentucky

Independent Auditors' Report And Financial Statements For the Year Ended December 31, 2013

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Independent Auditors' Report

To the Commissioners Black Mountain Utility District Baxter, Kentucky

Report on the Financial Statements

We have audited the accompanying financial statements of the business-type activities of Black Mountain Utility District (the District) as of and for the year ended December 31, 2013, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the business-type activities of Black Mountain Utility District, as of December 31,

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2013, and the respective changes in financial position and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Management has omitted the Management's Discussion and Analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated June 26, 2014 on our consideration of Black Mountain Utility District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Black Mountain Utility District's internal control over financial reporting and compliance.

Christian Sturgeon & Associates, PSC

Christian Sturgeon & Associates, PSC London, Kentucky

June 26, 2014

Black Mountain Utility District Statement of Net Position December 31, 2013

Assets

Current Assets		
Cash and cash equivalents	\$	22.007
Accounts receivable, less allowance for	Φ	23,907
doubtful accounts of \$30,000		160 000
Unbilled accounts receivable		162,899
Other receivables		64,000
Prepaid expenses		1,340
Total Current Assets		16,884
1		269,030
Noncurrent Assets		
Restricted Assets		
Customer deposits		57,235
Debt and interest funds		6,605
Total Restricted Assets		63,840
Capital Assets		
Land and improvements		29,112
Buildings and improvements		251,888
Source of supply and pumping		1,341,716
Water treatment equipment		141,978
Transmission and distribution plant		18,399,511
Vehicles and other equipment		527,193
Less: accumulated depreciation		(4,082,786)
Net Capital Assets		16,608,612
Total Noncurrent Assets	-	16,672,452
Total Assets	\$	16,941,482

Black Mountain Utility District Statement of Net Position (Continued) December 31, 2013

Liabilities

Current Liabilities		
Accounts payable	\$ 142	2,443
Accrued interest payable	Ф 1 Та	547
Accrued salaries and taxes payable	7	7,800
Current portion of long-term debt		•
Customer deposits		1,434
Other current liabilities),842
Total Current Liabilities		,500
	307	,566
Noncurrent Liabilities		
Long-term debt, less current portion		
included in current liabilities	1,616	,184
Total Noncurrent Liabilities	1,616	,184
Total Liabilities	1,923	,750
	<u></u>	
Net Position		
Net investment in capital assets	14,927,	994
Restricted		840
Unrestricted	·	
Total Net Position		898
Total Not Footboll	<u>\$ 15,017,</u>	132

Black Mountain Utility District Statement of Revenues, Expenses and Changes in Net Position For the Year Ended December 31, 2013

Operating Revenues		
Water sales	\$	1,451,533
Other revenues	Ψ	148,641
		140,041
Total Operating Revenues		1,600,174
Operating Expenses		
Salaries and wages		317,542
Employee benefits		122,999
Purchased water		713,605
Utilities		93,410
Chemicals		1,253
Materials and supplies		51,797
Contracted services		15,094
Vehicle and equipment expenses		79,423
Insurance		19,350
Office expenses		44,037
Bad debt expense, net of recoveries		28,119
Depreciation		577,461
Tap fee refunds		100
Other operating expenses		90,500
Total Operating Expenses		2,154,690
Operating Loss		(554,516)
Non-operating Revenues (Expenses)		
Interest income		7
Grant revenue		3,492,205
Interest expense		(70,603)
Total Non-operating Revenues (Expenses)		3,421,609
Change in Net Position		2,867,093
Net Position, Beginning of Year		12,150,639
Net Position, End of Year	\$	15,017,732

Black Mountain Utility District Statement of Cash Flows For the Year Ended December 31, 2013

Cash Flows From Operating Activities	
Receipts from customers	\$ 1,411,731
Receipts from other activities	158,241
Payments to and on behalf of employees	(445,984)
Payments to suppliers	(1,028,298)
Payments for other activities	 (90,500)
Net Cash Provided by Operating Activities	 5,190
Cash Flows From Capital and Related Financing Activities	
Purchases of property, plant and equipment	(3,489,455)
Principal payments on debt	(72,696)
Interest payments on debt	(70,754)
Grants	 3,492,205
Net Cash Used by Capital and Related Financing Activities	 (140,700)
Net Decrease in Cash and Cash Equivalents	(135,510)
Cash and Cash Equivalents at Beginning of Year	223,257
Cash and Cash Equivalents at End of Year	\$ 87,747
Reconciliation of cash per Statement of Net Position to cash per Statement of Cash Flows:	
Cash and cash equivalents	\$ 23,907
Customer deposits	57,235
Debt and interest funds	 6,605
Cash and cash equivalents per Statement of Cash Flows	\$ 87,747

Black Mountain Utility District Statement of Cash Flows (Continued) For the Year Ended December 31, 2013

Reconciliation of Operating Loss to Net Cash		
Provided by Operating Activities:		
Operating loss	\$	(554,516)
Adjustments to reconcile operating loss to net	Ψ	(001,010)
cash provided by operating activities		
Depreciation		577,461
Bad debt expense		28,119
(Increase) Decrease in operating assets		•
Accounts receivable		(43,462)
Other receivables		9,600
Prepaid expenses		(1,894)
Increase (Decrease) in operating liabilities		, ,
Accounts payable		(10,435)
Accrued expenses and other liabilities		(5,443)
Customer deposits		3,760
Other current liabilities		2,000
Net Cash Provided by Operating Activities	\$	5,190

Note 1 - Summary of Significant Accounting Policies

Reporting Entity

Black Mountain Utility District, of Harlan County, Kentucky ("District") was created in 1983 under Chapter 74 of the Kentucky Revised Statutes. The District is governed by a five person board of Commissioners which is appointed by the Harlan County Fiscal Court. The District is regulated by the Kentucky Public Service Commission.

The District is a rural water utility system whose purpose is to establish, develop and operate a water supply and distribution system, including limited sewer services, for its members and customers in Harlan County, Kentucky. The District's primary source of revenue is from water sales to its customers, including public bodies and local businesses in its service area.

Basis of Accounting, Financial Presentation and Measurement Focus

The basic financial statements of the District have been prepared in accordance with accounting principles generally accepted in the United States of America ("GAAP") as applied to governmental units. The Governmental Accounting Standards Board ("GASB") is the standard-setting body for governmental accounting and financial reporting. The GASB periodically updates its codification of the existing Governmental Accounting and Financial Reporting Standards which, along with subsequent GASB pronouncements (Statements and Interpretations), constitutes GAAP for governmental units.

The District applies all relevant Financial Accounting Standards Board (FASB) pronouncements and Accounting Principles Board (APB) opinions issued on or before November 30, 1989, unless those pronouncements conflict or contradict GASB pronouncements, in which case, GASB prevails. In addition, the District applies all applicable FASB Statements and Interpretations issued after November 30, 1989, except those that conflict with or contradict GASB pronouncements.

The Statement of Net Position and Statement of Revenues, Expenses and Changes in Net Position display information about the District as a whole. These statements include all funds of the District.

The financial statements are prepared using the accrual basis of accounting. Revenues are recognized when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Operating income reported by the District includes revenues and expenses related to the continuing operation of water service for its customers. Principal operating revenues are charges to customers for services. Principal operating expenses are the costs of providing the services and include administrative expenses and depreciation of capital assets. Other revenues and expenses are classified as non-operating in the financial statements.

Cash and Cash Equivalents

The District considers demand deposits and certificates of deposit with maturities of less than three months to be cash equivalents.

Note 1 - Summary of Significant Accounting Policies (Continued)

Accounts Receivable

Receivables include amounts due from customers for water and sewer services. These receivables are due at the time the services are billed and are considered past due on the sixteenth day of the following month. Accounts receivable are presented net of uncollectible accounts. The allowance amount is estimated using a percentage of accounts past due more than 30 days. At December 31, 2013, the allowance for doubtful accounts was \$30,000.

Unbilled Accounts Receivable

Estimated unbilled revenues from water sales are recognized at the end of each fiscal year on a pro rata basis. The estimated amount is based on billing during the month following the close of the fiscal year.

Prepaid Expenses

Prepaid expenses include payments to vendors that benefit future reporting periods and are reported on the consumption basis.

Capital Assets

The District's property, plant and equipment with useful lives of more than one year are stated at historical cost. The costs of normal maintenance and repairs that do not add to the asset value or materially extend useful lives are not capitalized. Capital assets are depreciated using the straight-line method. When assets are disposed, the cost and applicable accumulated depreciation are removed from the respective accounts, and the resulting gain or loss is recorded in operations.

Estimated useful lives for depreciable assets are as follows:

Asset Classification	Range of Lives			
Structures and improvements Transmission distribution mains Plant equipment Meters and services Other equipment and vehicles	10-40 years 25-50 years 10-25 years 25 years 5-10 years			

Customer Deposits

The District collects and holds in escrow a \$75 deposit from customers to ensure collection of its water charges. Interest at an annual rate of 1.25% is paid on these deposits.

Net Position

The District has adopted accounting guidance, GASB Statement No. 63, Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position. Net position is comprised of the various net earnings from operating income, non-operating revenues and expenses, and capital contributions. Net position is classified in the following three components:

Note 1 - Summary of Significant Accounting Policies (Continued)

Net Position (Continued)

Net investment in capital assets – This component of net position consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction or improvement of those assets.

Restricted – This component of net position consists of restricted assets less liabilities and deferred inflows of resources related to those assets. Restricted assets are those with limits on their use that are externally imposed constraints imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments or constraints imposed by law through constitutional provisions or enabling legislation.

Unrestricted – This component of net position consists of net amounts of the assets, deferred outflows of resources, liabilities, and deferred inflows of resources that are not included in the determination of the net investment in capital assets or the restricted component of net position.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Note 2 - Restricted Assets

Under the terms of all loan resolutions, the District is required to maintain certain accounts and funds for the benefit and protection of the creditors. In addition, the District is also required to collect reasonable and sufficient rates and charges for services rendered, prohibited from selling, leasing or mortgaging any part of the system without prior approval, required to maintain the operating system in good condition and to carry adequate insurance on all properties to protect against loss or damage.

The resolutions require the District to establish a depreciation fund or reserve to be used to finance the cost of unusual repairs, renewals and replacements not included in the annual budget and to pay for future system extensions. The balance of these accounts at December 31, 2013 was \$6,605. Restricted assets at December 31, 2013 also included customer deposits of \$57,235.

Note 3 - Kentucky Revised Statute

At December 31, 2013, \$200,484 of the cash of the District was covered by federal depository insurance. In accordance with Kentucky Revised Statute (KRS) 91A.060, the deposits are to be insured by the Federal Depository Insurance Corporation or collateralized to the extent uninsured by any obligations permitted by KRS 41.240(4). According to KRS 41.240(4), financial institutions shall either pledge or provide as collateral securities or other obligations having an aggregate current face value or current quoted market value at least equal to the deposits. According to KRS 66.480, the District is allowed to invest in obligations of the U.S. Treasury and U.S. agencies, repurchase agreements, obligations of the Commonwealth of Kentucky and its agencies, interest bearing deposits of insured savings and loans, or interest bearing deposits of insured national or state banks. For additional cash descriptive information, see Note 1.

Note 4 - Custodial Credit Risk - Deposits

Custodial credit risk is the risk that in the event of a bank failure, the District's deposits may not be returned to it. The District does not have a deposit policy for custodial credit risk. As of December 31, 2013, none of the District's total deposits at banks of \$200,484 were exposed to custodial credit risk.

Note 5 - Capital Assets

The following is a summary of capital asset transactions for the year ended December 31, 2013:

	Balance Dec. 31, 2012		Additions		Dispositions		Balance Dec. 31, 2013	
Land and improvements Building and improvements Source of supply and pumping Water treatment equipment Transmission and distribution plant Vehicles and other equipment Construction in process Totals at historical cost	\$	29,112 249,288 802,569 141,978 15,720,634 256,791 1,571	\$	2,600 539,147 - 2,678,877 270,402 - 3,491,026	\$	1,571	\$	29,112 251,888 1,341,716 141,978 18,399,511 527,193 - 20,691,398
Less accumulated depreciation for: Building and improvements Source of supply and pumping Water treatment equipment Transmission and distribution plant Vehicles and other equipment Total accumulated depreciation		44,728 172,379 81,162 3,014,934 192,122 3,505,325		6,115 14,458 2,957 524,539 29,392 577,461		- - - - -		50,843 186,837 84,119 3,539,473 221,514 4,082,786
Capital assets - net	\$	13,696,618	\$	2,913,565	\$	1,571	\$	16,608,612

Note 6 - Long-Term Debt

The following is a summary of long-term debt transactions for the year ended December 31, 2013:

	Balance Dec. 31, 2012	Additions	Payments	Balance Dec. 31, 2013	Due Within One Year
Loan payable to Kentucky Infrastructure Authority, principal and interest, at the rate of 3%, payable on a semi-annual basis, with final payment due June 1, 2026	\$ 184,414	\$ -	\$ 11,265	\$ 173,149	\$ 11,605
Loan payable to Kentucky Infrastructure Authority, principal and interest, at the rate of 1%, payable on a semi-annual basis, with final payment due June 1, 2031	214,046	-	10,588	. 203,458	10,218
Various loans payable to United States Department of Agriculture, payable annually in varying principal amounts, with final payments due January 1, 2026 to January 1, 2038; interest payable on a semi-annual basis at the rate of 4.5% to 5%	1,343,300	-	40,200	1,303,100	41,700
Loan payable to Caterpillar, principal and interest payable monthly at the rate of 3.75%, with final payment due January 31,				¥	
2014	11,554		10,643	911	911
	\$ 1,753,314	\$ -	\$ 72,696	\$ 1,680,618	\$ 64,434

Note 6 - Long-Term Debt (Continued)

The aggregate annual repayments on long-term debt are summarized as follows:

Year Ending December 31	Principal			Interest	Total		
2014	\$	64,434	\$	67,820	\$	132,254	
2015		67,177		65,342		132,519	
2016		68,142		62,736		130,878	
2017		71,318		60,087		131,405	
2018		73,907		57,246		131,153	
2019-2023		413,629		240,529		654,158	
2024-2028		426,659		153,510		580,169	
2029-2033		376,352		73,415		449,767	
2034-2038		119,000		12,060		131,060	
	\$	1,680,618	\$	792,745	\$	2,473,363	

Note 7 - Risk Management

The District is exposed to various risks of loss related to limited torts; theft of, damage to and destruction of assets; errors and omissions and natural disasters for which the District carries commercial insurance. There have been no significant reductions in coverage for the year and settlements have not exceeded coverage in the past three years.

Note 8 - Subsequent Events

Date of Management Evaluation

Management of the District has evaluated subsequent events through June 26, 2014, the date on which the financial statements were available to be issued.



Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards

To the Commissioners
Black Mountain Utility District
Baxter, Kentucky

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the business-type activities of Black Mountain Utility District as of and for the year ended December 31, 2013, and the related notes to the financial statements, which collectively comprise Black Mountain Utility District's basic financial statements, and have issued our report thereon dated June 26, 2014.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered Black Mountain Utility District's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Black Mountain Utility District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as described in the accompanying schedule of findings and responses, we identified certain deficiencies in internal control that we consider to be material weaknesses.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We consider the deficiencies described in the accompanying schedule of findings and responses to be material weaknesses (See items 2013-1 and 2013-2).

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Black Mountain Utility District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards* and which are described in the accompanying schedule of findings and responses as item 2013-3.

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Black Mountain Utility District's Response to Findings

Black Mountain Utility District's response to the findings identified in our audit is described in the accompanying schedule of findings and responses. Black Mountain Utility District's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part on an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Christian Sturgeon + Associates, PSC

Christian Sturgeon & Associates, PSC London, Kentucky

June 26, 2014

Black Mountain Utility District Schedule of Findings and Responses December 31, 2013

Findings - Financial Statements

2013-1

Criteria:

As discussed in *Standards for Internal Control in the Federal Government* published by the General Accounting Office of the United States, internal control is an integral component of an organization's management that provides reasonable assurance that an objective of releable financial reporting is being achieved. Organizations should implement procedures to ensure this objective is achieved.

Condition:

During the audit procedures performed, instances of this objective not being completely achieved were noted.

Cause:

The District's limited internal resources prevent the preparation of financial statements and related note disclosures in accordance with generally accepted accounting principles.

Effect:

The District was unable to prepare their financial statements and related note disclosures in accordance with generally accepted accounting principles.

Views of responsible officials and planned corrective actions:

The District feels that it would not be cost beneficial to hire the personnel required to complete these tasks.

2013-2

Criteria:

As discussed in *Standards for Internal Control in the Federal Government* published by the General Accounting Office of the United States, internal control is an integral component of an organization's management that provides reasonable assurance that an objective of reliable financial reporting is being achieved. Organizations should implement procedures to ensure this objective is achieved.

Condition:

During the audit procedures performed, instances of this objective not being completely achieved were noted.

Cause:

The size of the District's office staff does not allow proper segregation of duties with regard to bank reconciliations, cash collections, billings, postings to the accounts receivable ledger, and expenditures for goods or services.

Effect:

This condition creates a weakness in internal controls which could result in unauthorized transactions being processed.

Views of responsible officials and planned corrective actions:

The District feels that it would not be cost beneficial to hire the personnel required to complete these tasks.

Black Mountain Utility District Schedule of Findings and Responses December 31, 2013

2013-3

Criteria:

The bonding agreements entered into with Rural Development for construction of water lines state that the District is to maintain a certain percentage of the operating income in a depreciation account for its upkeep and replacement. The District should implement procedures to ensure this objective is achieved.

Condition:

During the audit procedures performed, it was noted that the District is not maintaining the depreciation reserve funds as required by the bonding contracts.

Cause:

The lack of funds available to the District prevents the ability for reservation in a depreciation account.

Effect:

This condition causes the District to be in violation of its bonding agreements and could result in the bonds being called prematurely.

Views of responsible officials and planned corrective actions:

The District currently does not have funds available to maintain an adequate depreciation reserve account. The District is in the process of requesting a rate increase which will help fund the depreciation reserve account.