

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF MCCREARY COUNTY)
WATER DISTRICT FOR A DEVIATION FROM)
807 KAR 5:066, SECTION 9(2) REGARDING) CASE NO. 89-027
BLOW-OFF VALVES ON DEAD-END LINES AND)
FROM 807 KAR 5:066, SECTION 10(3))
REGARDING INSPECTION OF SERVICE LINES)

O R D E R

By letter received February 6, 1989, McCreary County Water District ("McCreary Water") requested a deviation from 807 KAR 5:066, Section 9(2) and Section 10(3). These regulations require a water utility to provide blow-off valves for the purpose of flushing dead-end water mains and to inspect service lines to ensure that the lines are free from any tees, branch connections, irregularities or defects.

The Commission, having reviewed the evidence of record and being advised, is of the opinion and finds that:

1. The installation and utilization of blow-off valves or other appropriate flushing devices on dead-end water mains is accepted engineering and operating practice.

2. McCreary Water has not proposed any method of flushing the dead-end water mains that would meet either the requirements or the intent of the regulations and accepted engineering practice.

3. Any person, firm, or corporation who installs any plumbing, including service lines to a water utility's distribution main, must procure a plumbing installation permit from the Kentucky Department of Housing, Building, and Construction ("the Department") before installing that plumbing. KRS 318.134. Farmsteads,¹ however, are exempt from this requirement. KRS 318.015(3).

4. Any plumbing installed under a plumbing permit must be installed in accordance with the plumbing permit and the Kentucky State Plumbing Code. KRS 318.134.

5. The Kentucky State Plumbing Code requires water service lines to be free from any tee, branch connection, irregularity or defect. 815 KAR 20:100.

6. Prior to the completion of any plumbing installation, the Department conducts an inspection to ensure that the plumbing installation complies with the provisions of the Kentucky State Plumbing Code. KRS 318.130 and 318.134. In those localities where the local government has enacted by ordinance the Kentucky State Plumbing Code, inspections are conducted by local governments instead. KRS 318.140.

¹ A farmstead is "a farm dwelling together with other farm buildings and structures incident to the operation and maintenance of the farm situated on ten (10) acres or more of land which is located outside the corporate limits of a municipality." KRS 318.010(8).

7. The inspections conducted by the Department or by local government are comparable to those required of a water utility by Commission Regulation 807 KAR 5:066, Section 10(3).

8. To require a water utility to perform an inspection of any service line installation where the Department or local government has already conducted a comparable inspection would result in a needless duplication of efforts.

9. To avoid the needless duplication of effort, McCreary Water should be authorized to deviate from Commission Regulation 807 KAR 5:066, Section 10(3), in those instances where the Department or local government is required to inspect a service line installation.

IT IS THEREFORE ORDERED that:


1. McCreary Water's request for permission to deviate from Commission Regulation 807 KAR 5:066, Section 9(2), is denied. McCreary Water shall install blow-off valves for the purpose of flushing the mains in accordance with Commission Regulations.

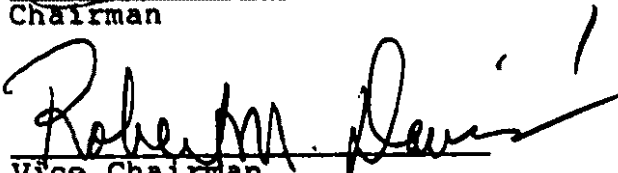
2. McCreary Water be and hereby is authorized to deviate from Commission Regulation 807 KAR 5:066, Section 10(3), in those instances where a service line installation is inspected by the Department or local government. McCreary Water shall, however, conduct such inspections where the same are not required by KRS Chapter 318.

Done at Frankfort, Kentucky, this

8th day of March, 1989.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director