

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF KENTON COUNTY WATER)
DISTRICT #1 FOR A DEVIATION FROM 807)
KAR 5:066, SECTION 5(4), REGARDING)
WATER STORAGE, 807 KAR 5:066, SECTION) CASE NO. 89-108
9(2), REGARDING DEAD ENDS, AND 807 KAR)
5:066, SECTION 10(3), REGARDING)
INSPECTION OF SERVICE LINES)

O R D E R

By letter received April 28, 1989, Kenton County Water District #1 ("Kenton Water") requested a deviation from 807 KAR 5:066, Section 5(4), Section 9(2), and Section 10(3). These regulations require a water utility to provide water storage to ensure 1 day's supply of its average daily water usage, 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. Kenton Water's average daily usage is 24.347 million gallons per day ("MGD").
2. Kenton Water's current water storage capacity is 16.475 MGD.
3. Kenton Water is currently in various stages of planning and constructing improvements to its water distribution system. Additional water storage facilities are included in its current construction program.

4. Because of the time needed to finalize its current construction program, Kenton Water should be given until December 31, 1991 to bring it within compliance of the Commission's water storage requirements.

5. Kenton Water has requested a deviation from 807 KAR 5:066, Section 9(2).

6. Lastly, Kenton Water has requested a deviation from 807 KAR 5:066, Section 10(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).

7. 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.

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

9. 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

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).

Plumbing Code. KRS 318.130 and 318.134. In those localities where the local government has adopted by ordinance the Kentucky State Plumbing Code, inspections are conducted by local governments instead. KRS 318.140.

10. 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).

11. 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.

12. To avoid the needless duplication of effort, Kenton 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. Kenton Water be and it hereby is given until December 31, 1991 to comply with the provisions of 807 KAR 5:066, Section 5(4).

2. Kenton Water shall take all necessary actions to bring its water storage facilities within compliance of the Commission regulations prior to December 31, 1991.


3. Kenton Water be and it hereby is given until December 31, 1991, to comply with the provisions of 807 KAR 5:066, Section 9(2).

4. Kenton 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. Kenton Water shall, however, conduct such inspections where the same are not required by KRS Chapter 318.

Done at Frankfort, Kentucky, this 1st day of June, 1989.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director