

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NORTH MARSHALL WATER DISTRICT S	)	
PROPOSED RULES FOR WATER MAIN	)	CASE NO. 99-050
EXTENSIONS TO REAL ESTATE SUBDIVISIONS	)	

ORDER

IT IS ORDERED that North Marshall Water District ("North Marshall") shall file the original and 8 copies of the following information with the Commission within 20 days of this Order, with a copy to all parties of record. Each copy of the information requested shall be placed in a bound volume with each item tabbed. When a number of sheets are required for an item, each sheet shall be appropriately indexed, for example, Item 1(a), Sheet 2 of 6. The name of the witness who will be responsible for responding to questions relating to the information provided shall be included with each response. Careful attention should be given to copied material to ensure its legibility.

1. Provide a schedule that lists each refund for water main extension that North Marshall has made during the past 3 calendar years. This schedule shall also list the date and amount of each refund, the amount of feet of water main extension for which the refund is made, and whether the recipient of the refund was a subdivision developer.

2. a. (1) Describe the controls that North Marshall currently exerts on the costs of water main extensions to subdivision developers.

(2) Explain why these controls are inadequate.

b. (1) Describe the controls that North Marshall currently exerts on the costs of water main extensions to non-subdivision developers.

(2) Explain why these controls are adequate.

3. Explain why North Marshall chose to limit refunds to subdivision developers to \$3 per foot of main extension when the actual cost of such water main extensions ranges from \$3.44 to \$10.62 per foot.

4. List and describe all water main extension projects that are currently anticipated to occur within the next 3 years. This list shall include any water main extension projects that are currently under construction. The description of the project shall include whether the water main extension will provide service to a subdivision development.

5. Define the following terms as they are used in North Marshall's proposed revision to its Rules and Regulations:

a. Subdivision.

b. Developer.

6. State whether the limitation on refunds to subdivision developers will apply to those portions of water main extensions that are outside of the subdivision development. (For example, a subdivision developer constructs a 1,500-foot water main extension. Approximately 700 feet of this extension is over land that is not owned by the developer. This portion of the extension is necessary to connect the subdivision development to the existing main.)

7. The proposed revision will limit refunds on extensions made by subdivision developers, but not those of non-subdivision developers.

a. Describe the differences, if any, between a water main extension performed by a subdivision developer and a non-subdivision developer.

b. Explain why the differences listed in subpart 6(a) require a limitation on refunds to subdivision developers.

c. State whether the proposed revision will require subdivision developers and those purchasing real estate from those developers to finance a larger share of the costs of water main extensions than other similarly situated water district customers.

8. What affect, if any, does North Marshall expect that its proposed revision will have on the development of subdivisions within its boundaries? Explain.

9. a. Has North Marshall published notice of its proposed revision?

b. (1) If yes, provide a copy of this notice and state where publication occurred.

(2) If no, describe North Marshall's efforts to notify affected persons, including subdivision developers, of the proposed revision.

10. What comments, if any, has North Marshall received regarding the proposed revisions?

11. What governmental agencies, if any, oversee or perform planning and zoning activities within North Marshall's boundaries?

12. a. Have any local governmental agencies within North Marshall's boundaries established requirements or regulations regarding the construction and development of subdivisions?

b. If yes,

(1) Identify the local governmental agencies.

(2) Provide a copy of the requirements or regulations.

Done at Frankfort, Kentucky, this 28<sup>th</sup> day of April, 1999.

By the Commission

ATTEST:

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Executive Director