

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ACCREDITATION AND APPROVAL OF A)
PUBLIC SERVICE COMMISSION WATER)
PERSONNEL TRAINING SEMINAR AS A) CASE NO. 2009-00490
WATER DISTRICT COMMISSIONER TRAINING)
PROGRAM)

O R D E R

KRS 74.020(7) requires that this Commission “encourage and promote the offering of high quality water district management training programs that enhance a water district commissioner’s understanding of his or her duties.” Pursuant to this statutory mandate, the Commission has conducted a training seminar in Frankfort, Kentucky. This seminar included instruction regarding trends in applicable law and regulations and utility administration.¹

Based upon a review of the course curriculum, the Commission finds that:

1. The course of instruction provided at this seminar would enhance a water district commissioner’s understanding of his or her duties.
2. The seminar conducted at Frankfort, Kentucky should be approved for 6.5 credit hours of water district management training.

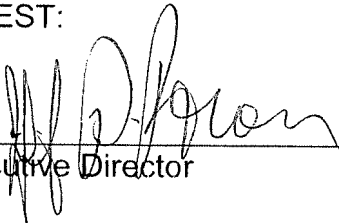
IT IS THEREFORE ORDERED that the 2009 Last Chance Water Personnel Training Seminar, which the Commission conducted on December 9, 2009 in Frankfort, Kentucky, is approved for a maximum of 6.5 credit hours of water district management training.

¹ A course syllabus is appended to this Order.

By the Commission

ENTERED *SW*
DEC 22 2009
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO 2009-00490 DATED **DEC 22 2009**

**PUBLIC SERVICE COMMISSION WATER PERSONNEL TRAINING
LAST CHANCE TRAINING FOR 2009
DECEMBER 9, 2009**

7:30 - 8:00 Registration

8:00 - 8:05 Administrative Announcements

8:05 - 9:05 Recent Developments in Utility Regulation – Gerald Wuetcher

A review of the recent developments in public utility law and regulation. Recent changes in Kentucky statutes affecting the operation of water utilities will be discussed. Recent Public Service Commission's decisions that affect water utilities and personnel and organizational changes at the Public Service Commission will also be examined. An update on new Public Service Commission initiatives will also be provided.

9:10 - 10:10 Open Records/Open Meetings Acts – Virginia Gregg

The principal provisions of the Open Records Act and Open Meetings Act are reviewed. Handling a request for information under the Open Records Act is discussed. The effect of the Open Meetings Act on meetings of the board of water district commissioners is also discussed.

10:15 - 10:30 Keynote Remarks – Chairman David L. Armstrong

10:30 - 11:30 Legal Issues in Water District Operations – Gerald Wuetcher

A review of the provisions of Chapter 74 involving the creation, management, operation and dissolution of water districts. Other statutory provisions, such as the Whistle Blowers Act, Claims against Local Government Act, Bidding Requirements provision of KRS Chapter 424 are also discussed

11:30 - 12:35 Lunch

12:35 - 1:05 PSC Regulation of Municipal Utilities: A History – Gerald Wuetcher

Presentation on the history of the Public Service Commission's regulation of municipal utilities. Special emphasis is placed on recent Commission decisions regarding various aspects of municipal utility transactions with water districts and water associations, including the extent of Commission jurisdiction over municipal utilities, procedures for municipal rate filings, and the Commission's authority to revise terms of existing contracts for service.

1:05 - 2:05 Negotiating Wholesale Water Contract – Damon Talley

Presentation on the critical issues that wholesale water providers and purchasers should consider when negotiating water supply contracts. Presenter discusses various negotiating approaches that will avoid unnecessary litigation and operation and administrative problems.

2:15 - 3:15 Tariffs – Brent Kirtley

Presentation on utility tariffs and rate schedules. Presenter will discuss how the contents of the tariff impose legal obligations upon water utilities and the consequences when a utility's practices failed to reflect the provisions of its filed tariff. He will also discuss various provisions that should be contained in a utility tariff, including rules for water main extensions, landlord-renter provisions, leak adjustments, late payment penalties, deposits, discontinuance of service for non-payment. Presentation also addresses the methods of revising a tariff's provisions and adjusting a utility's rate schedules.

3:20 - 4:20 Territory Considerations – Gerald Wuetcher

The legal issues surrounding water/sewer utility service territories will be examined. A utility's obligation to provide utility service within its territory, neighboring utility incursion into a water utility's territory, and the use of 7 USC § 1926 to combat such incursions will be addressed.

