

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST TO FILL VACANCIES ON THE )  
BOARD OF COMMISSIONERS OF GREEN- ) CASE NO. 2010-00446  
TAYLOR WATER DISTRICT )

O R D E R

Green County Judge/Executive Mary Ann Baron and Green County Judge/Executive-Elect Misty N. Edwards have separately advised the Commission in writing of the existence of two vacancies on Green-Taylor Water District's ("Green-Taylor District") Board of Commissioners due to the expiration of the incumbents' terms, have requested that the Commission fill each vacancy, and have proposed candidates for appointment. More specifically, Judge Baron requests that the incumbents -- Joyce Ward and Harry Kessler -- be appointed to fill the unexpired terms. Judge/Executive-Elect Edwards proposes that Amy Olt and Ken Ferguson be appointed.

KRS 74.020(4), which addresses the appointment of members to the boards of commissioners of water districts, states:

Vacancies shall be filled by the same appointing authority which is empowered to make the original appointment. Vacancies resulting from cause other than expiration of the term shall be filled for the unexpired term only. Notwithstanding the provisions of KRS 67.710, a vacancy resulting from the expiration of a term shall be filled by the Public Service Commission if, within ninety (90) days following the expiration of the term, the vacancy has not been filled by the appropriate county judge/executive with approval of the fiscal court.

Based upon the above, the Commission finds that a proceeding should be initiated to consider the requests.

IT IS THEREFORE ORDERED that:

1. This proceeding is initiated to fill the existing vacancies on Green-Taylor District's Board of Commissioners.

2. Green-Taylor District, Green County Judge/Executive Mary Ann Baron, Green County Judge/Executive-Elect Misty N. Edwards, Green County Fiscal Court, Joyce Ward, Harry Kessler, Amy Olt and Ken Ferguson are made parties to this proceeding.

3. Any party filing documents with the Commission shall serve a copy of those documents upon all other parties.

4. Service of any document or pleading shall be made in accordance with 807 KAR 5:001, Section 3(7).

5. Joyce Ward, Harry Kessler, Amy Olt and Ken Ferguson shall each file with the Commission the original and ten copies of the information listed in Appendix A. A party's failure to file the requested information in a timely manner shall be considered as notice that the party does not wish to be considered for appointment to Green-Taylor District's Board of Commissioners.

6. Green-Taylor District shall file with the Commission the original and ten copies of the information listed in Appendix B.

7. a. The information requested herein is due on or before December 17, 2010. Response to requests for information shall be appropriately bound, tabbed and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided, with copies to all parties of record and ten copies to the Commission.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

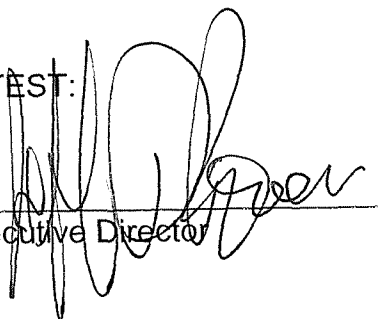
e. Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations.

8. Any party who wishes to nominate a person to fill either of the vacancies shall submit its nomination to the Commission in writing within 20 days of the date of this Order.

By the Commission

ENTERED *EW*  
NOV 23 2010  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
\_\_\_\_\_  
Executive Director

Case No. 2010-00446

## APPENDIX A

### APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2010-00446 DATED **NOV 23 2010**

1. Provide your resume or curriculum vitae.
2. State your date of birth.
3. State your current street address and your current mailing address (if different from your street address).
4. State whether you have ever been convicted of violating any law (other than minor traffic offenses). If yes, list the conviction, the court that adjudged the sentence, and date and place.
5. State whether you reside in Green-Taylor District's territory.
6. State whether you have fought a duel with deadly weapons or sent or accepted a challenge to fight a duel with deadly weapons, acted as second in carrying a challenge, or aided or assisted any person doing so.
7. State whether you are a customer of Green-Taylor District.
8. Describe your educational background.
9. Describe your experience in operating or managing a water utility.
10. Describe your experience in managing or operating organizations similar to a water utility.
11. List all positions that you currently hold with any local, state, or federal governmental entity.
12. a. List all non-governmental organizations and non-profit corporations for which you serve as an officer.

b. For each organization and corporation listed, state whether the organization or corporation transacts business with Green-Taylor District.

13. List all contracts that you have ever entered into with Green-Taylor District to provide goods or services. Provide a copy of each contract.

14. List all business transactions that you have had with Green-Taylor District in a personal or non-official capacity.

15. List all family members that Green-Taylor District currently employs and the position that each family member holds. State the date on which each family member began his or her employment with Green-Taylor District.

16. List all family members that Green-Taylor District has previously employed and the position that each family member held. State the dates on which each family member began and ended his or her employment with Green-Taylor District.

17. List all courses of water district management training that you have attended since January 1, 2001.

## APPENDIX B

### APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2010-00446 DATED **NOV 23 2010**

1. List the name of each current Green-Taylor District commissioner and the date on which his or her term expires.
2.
  - a. Provide a map of Green-Taylor District's territory.
  - b. Provide the ordinances and resolutions of the Fiscal Courts of Adair, Green, Metcalfe and Taylor counties that establish Green-Taylor District's territorial boundaries.
  - c. Provide all orders of the Adair County Judge/Executive, Green County Judge/Executive, Metcalfe County Judge/Executive, and Taylor County Judge/Executive that address Green-Taylor District's territorial boundaries.
3. Provide all documents of the Green County Fiscal Court that address the most recent appointment to Green-Taylor District's Board of Commissioners of:
  - a. Joyce Ward; and
  - b. Harry Kessler.
4. For each person listed in Item 3, state the date on which his or her term expired.
5. Provide all correspondence with the Green County Judge/Executive regarding the expiration of the last term of the individuals listed in Item 3.
6. List all contracts that each person listed in Item 3 has entered into with Green-Taylor District to provide goods or services. Provide a copy of each contract and the minutes of the meeting of the Green-Taylor District Board of Commissioners in which the contract was approved.

7. List all business transactions that each person listed in Item 3 has entered into with Green-Taylor District in a personal or non-official capacity.

8. List all family members of each person listed in Item 3 that Green-Taylor District currently employs and the position that each family member holds. State the date on which each family member began his or her employment with Green-Taylor District.

9. List all family members of each person listed in Item 3 that Green-Taylor District has previously employed and the position that each family member held. State the dates on which each family member began and ended his or her employment with Green-Taylor District.

10. State the percentage of the total assets of Green-Taylor District's distribution system that is located in:

- a. Adair County;
- b. Green County;
- c. Metcalfe County; and
- d. Taylor County.



Clerk  
Green County Fiscal Court  
203 West Court Street  
Greensburg, KY 42743

Joyce Ward  
7897 Hodgenville Road  
Greensburg, KY 42743

Mary Ann Blaydes Baron  
Green County Judge Executive  
203 West Court Street  
Greensburg, KY 42743-1552

Misty N Edwards  
County Judge/Executive-Elect  
P.O. Box 454  
Greensburg, KY 42743

Ken Ferguson  
142 Bucknersville Rd  
Greensburg, KY 42743

Harry Kessler  
2101 Locust Grove Road  
Greensburg, KY 42743

William M Netherland  
Chairman  
Green-Taylor Water District  
250 Industrial Park Road  
P. O. Box 168  
Greensburg, KY 42743

Amy Olt  
542 Ewing Hicks Rd  
Greensburg, KY 42743