

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST TO FILL VACANCY ON THE)
ALLEN COUNTY WATER DISTRICT BOARD) CASE NO. 2011-00008
OF COMMISSIONERS)

O R D E R

Allen County Judge/Executive Johnny Hobdy and the Board of Commissioners of Allen County Water District ("Allen District") have separately advised the Commission in writing of the existence of a vacancy on Allen District's Board of Commissioners that has remained unfilled for more than 90 days, have requested that the Commission fill the vacancy, and have proposed candidates for appointment. More specifically, Allen District requests that John H. Jones, the incumbent commissioner, be appointed to fill the unexpired term. Judge/Executive Hobdy proposes that Wayne Jackson 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 vacancy on Allen District's Board of Commissioners.
2. Allen District, Allen County Judge/Executive Johnny Hobdy, Allen County Fiscal Court, John H. Jones, and Wayne Jackson 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. John H. Jones and Wayne Jackson 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 Allen District's Board of Commissioners.
6. Allen 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 February 18, 2011. 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.

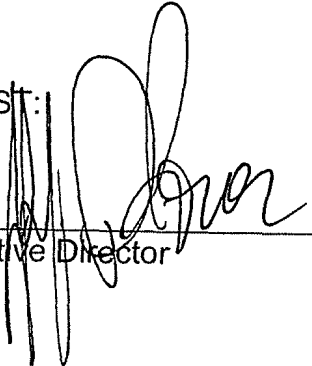
e. Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable,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

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

By the Commission

ENTERED 
JAN 25 2011
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2011-00008

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2011-00008 DATED **JAN 25 2011**

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 Allen 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 Allen 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 Allen District.

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

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

15. List all family members that Allen 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 Allen District.

16. List all family members that Allen 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 Allen 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. 2011-00008 DATED **JAN 25 2011**

1. List the name of each current Allen District commissioner and the date on which his or her term expires.
2.
 - a. Provide a map of Allen District's territory.
 - b. Provide the ordinances and resolutions of the Fiscal Court of Allen County that establish Allen District's territorial boundaries.
 - c. Provide all orders of the Allen County Judge/Executive that address Allen District's territorial boundaries.
3. Provide all documents of the Allen County Fiscal Court that address the most recent appointment to Allen District's Board of Commissioners of John H. Jones.
4. State the date on which the term of John H. Jones expired.
5. Provide all correspondence with the Allen County Judge/Executive regarding the expiration of the last term of John H. Jones.
6. List each contract that John H. Jones or Wayne Jackson has entered into with Allen District to provide goods or services. Provide a copy of each contract and the minutes of the meeting of the Allen District Board of Commissioners in which the contract was approved.

7. List each business transaction that John H. Jones or Wayne Jackson has entered into with Allen District in a personal or non-official capacity.

8. List each family member of John H. Jones or Wayne Jackson that Allen 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 Allen District.

9. List each family member of John H. Jones or Wayne Jackson that Allen 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 Allen District.

Allen County Fiscal Court Clerk
Allen County Courthouse
201 West Main Street
Scottsville, KY 42164

Hon. Johnny Hobdy
Allen County Judge/Executive
P.O. Box 115
Scottsville, KY 42164

Wayne Jackson
1893 Brownsford Road
Scottsville, KY 42164

John H Jones
77 Red Hill Road
Scottsville, KY 42164

Bobby W Petty
District Manager
Allen County Water District
330 New Gallatin Road
P. O. Box 58
Scottsville, KY 42164