

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|   |   |                     |
|---|---|---------------------|
| REQUEST OF BATH COUNTY WATER DISTRICT   | ) |                     |
| UNDER THE PROVISIONS OF 807 KAR 5:066,  | ) |                     |
| SECTION 10, FOR AUTHORIZATION TO EXTEND | ) | CASE NO. 2012-00004 |
| A RURAL WATER MAIN IN EXCESS OF         | ) |                     |
| PERMITTED LENGTHS                       | ) |                     |

ORDER

Bath County Water District (“Bath District”) has applied for a deviation to permit its construction and use of a small water main that exceeds the maximum length requirements set forth in from 807 KAR 5:066, Section 10(2)(a). Having considered the evidence of record and being otherwise sufficiently advised,<sup>1</sup> the Commission finds that:

1. Bath District, a water district organized pursuant to KRS Chapter 74, owns and operates facilities that distribute water for compensation to approximately 3,668 customers in Bath, Menifee, Montgomery and Rowan Counties of Kentucky.<sup>2</sup>

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<sup>1</sup> On December 5, 2011, Bath District submitted a written request to the Commission’s Executive Director for an advisory opinion from Commission Staff on whether KRS 278.020(1) required the utility to obtain a Certificate of Public Convenience and Necessity. See Letter from Kenny Barber, Co-Manager, Bath County Water District, to Jeff Derouen, Executive Director, Kentucky Public Service Commission (Dec. 1, 2011). In his response, the Executive Director advised that the proposed extension did not require a Certificate of Public Convenience and Necessity, but did require a deviation from 807 KAR 5:066, Section 10(2)(a). He further advised that the original request would be considered as an application for such a deviation. Letter from Jeff Derouen, Executive Director, Kentucky Public Service Commission, to Kenny Barber, Co-Manager, Bath County Water District, (Jan. 4, 2012). The Commission subsequently obtained and filed into the record of this proceeding those documents that Bath District had previously filed with the Kentucky Division of Water.

<sup>2</sup> Annual Report of Bath County Water District to the Public Service Commission for the Calendar Year Ended December 31, 2010 at 5, 27.

2. Bath District proposes to install and maintain approximately 4,585 linear feet of 2-inch polyvinylchloride ("PVC") water main along Starshader Lane in Bath County.

3. The proposed water main will connect to a 3-inch water main at one point only and will not connect to any other water mains.

4. The proposed water main is intended to serve only one customer.

5. Bath District presently has no plans to make additional connections to the proposed main and represents that the remote location of the water main renders future development or the connection of additional customers unlikely.

6. The customer who the proposed water main will serve will contribute the total cost of the proposed water main.<sup>3</sup>

7. 807 KAR 5:066, Section 10(2), limits the length of a non-circulating 2-inch water main to 250 linear feet. It further provides that, in the case of rural water mains, the Commission may permit a water main in excess of this maximum length if hydraulic studies indicate that water pressure will remain within the limits set forth in 807 KAR 5:066, Section 5(1), and that the water main can provide adequate flow of water to serve the peak requirements of customers.

8. Hydraulic studies indicate that the water pressures in the proposed water main will remain within the limits set forth in 807 KAR 5:066, Section 5(1), and that the proposed water main can provide adequate flow of water to serve the peak requirements of its only customer.

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<sup>3</sup> The Commission reminds Bath District that, in the absence of a special arrangement that the Commission has expressly approved, 807 KAR 5:066, Section 11(1), requires Bath District to bear the cost of 50 linear feet of the proposed extension. Nothing in this Order should be construed as approving the proposed water main's financial arrangements.

9. The Kentucky Division of Water has approved the proposed water main's plan and specifications with respect to sanitary features of design on the condition that no extensions be made to the proposed water main.

IT IS THEREFORE ORDERED that:

1. Bath District's request for deviation from 807 KAR 5:066, Section 10(2)(a) is granted.

2. Bath District is permitted to place into service the proposed 2-inch PVC water main of 4,585 linear feet to run along Starshader Lane in Bath County, Kentucky.

3. Bath District shall continue to use the proposed water main only as long as the water main complies with all other sections of 807 KAR 5:066.

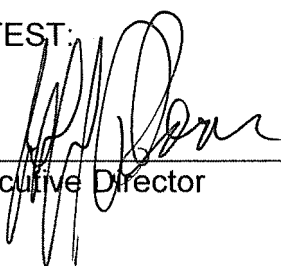
4. Bath District shall monitor the adequacy of the proposed water main and shall take necessary actions to maintain the level of service within the standards set forth in 807 KAR 5:066.

5. Bath District shall provide service on this main or any other water main to any customer who is entitled to service under the Commission's regulations and Bath District's filed rate schedules and regulations provided, however, appropriate engineering studies are performed and the approval of the Kentucky Division of Water and the Commission is obtained.

By the Commission

ENTERED <sup>PA</sup>  
MAR 02 2012  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:



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Executive Director

Case No. 2012-00004

Kenny Barber  
Co-Manager  
Bath County Water District  
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Salt Lick, KY 40371