

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF OLDHAM)	
WOODS SANITATION, INC. FOR SUCCESSIVE)	CASE NO.
DEVIATION FROM REQUIREMENTS OF)	2020-00330
807 KAR 5:006 AND 807 KAR 5:011)	

ORDER

On October 12, 2020, Oldham Woods Sanitation, Inc. (Oldham Woods) filed an application requesting to continue the deviation from certain administrative regulations regarding maintaining and staffing a utility office that was approved in Case No. 2017-00393.¹ Oldham Woods responded to one round of discovery. This matter now stands submitted for a decision on the written record.

In Case No. 2017-00393, the Commission granted Oldham Woods' request to deviate from multiple regulations that require a utility to maintain and staff an office with specific business hours and a designated representative available to handle telephonic and in-person customer inquiries. As a basis for its decision to grant the deviation, the Commission found that Oldham Woods filed substantial evidence to establish good cause to allow Oldham Woods to deviate from those regulations because there were sufficient alternatives in place for Oldham Woods' customers to access the utility for emergencies, billing inquiries, service issues, and to start or stop utility service. Specifically, Oldham Woods filed the following evidence in Case No. 2017-00393: (1) a contract with a third

¹ Case No. 2017-00393, *Oldham Woods Sanitation, Inc. Request for Deviation from 807 KAR 5:006 and 807 KAR 5:011* (Ky. PSC Jan. 11, 2018).

party, Camden Environmental Service Co., Inc. (Camden Environmental), that operates the sewer system and provides 24-hour contact for emergency service; (2) a contract with Oldham County Water District to provide customer service in-person, by email, telephone, and mail; (3) a post office box and telephone number for customers who have non-emergency customer service questions; (4) the owner and president of the utility will meet with customers by appointment at the plant site or other public location; (5) a website with 24-hour availability for internet-based access to services; and (6) the cost to rent and staff an office.

In this proceeding, Oldham Woods filed similar evidence of the various alternatives offered to its customers in lieu of maintaining and staffing an office. Oldham Woods provided a copy of its contract with Camden Environmental to operate Oldham Woods' wastewater treatment plant and sewer system through March 31, 2022. Camden Environmental provides 24-hour access for customers to report emergency and non-emergency requests for service. Oldham Woods provided evidence that the contact information for Camden Environmental is available on Oldham Woods' website and on monthly bills.

Additionally, Oldham Woods stated that it has a verbal agreement with Oldham County Water District, which bills Oldham Woods' customers for sewer service and remits the funds to Oldham Woods. In addition to billing service, Oldham County Water District provides customer service in-person, by email, telephone, and mail for Oldham Woods' customers with questions regarding billing issues, establishing a payment plan, and starting or stopping service.

Oldham Woods continues to provide a website with contact information for Camden Environment and Oldham County Water District. Additionally, customers can pay their bills on-line at Oldham Woods' website, which contains a link to Oldham County Water District's website.²

Oldham Woods averred that the owner and president of Oldham Woods, whose contact information is available on the utility website, meets with customers as necessary by appointment at the site of the Oldham Woods' waste water treatment plant or other agreed upon public location.³

Finally, Oldham Woods provided supporting documentation for its estimate of the cost to rent and staff an office. Based on a review rental space in the area, Oldham Woods estimated that the cost of renting a 900 to 1,400 square foot office in Oldham County would cost between \$12,600.00 and \$19,600.00 annually. Oldham Woods estimated that the annual costs to staff the office for seven hours per week at an hourly wage of \$10.00 to \$15.00 an hour would be \$4,160.00 to \$6,240.00.⁴

Based upon the case record and being otherwise sufficiently advised, the Commission finds that Oldham Woods established good cause to permit it to deviate from regulations to maintain and staff a utility office set forth in 807 KAR 5:006, Section 3(a); 807 KAR 5:006, Section 10(1); 807 KAR 5:006, Section 14(1), (1)(b)(2), (1)(c)(1), and 3(b), and 807 KAR 5:011, Section 3(2)(a). The Commission further finds that Oldham Woods provided sufficient evidence, as set forth above, that reasonable alternatives are

² Oldham Woods Response to Commission Staff's First Data Requests (filed Oct. 26, 2020), Item 2.

³ *Id.*

⁴ Oldham Woods Response to Commission Staff's First Data Requests (filed Oct. 26, 2020), Item 3.

in place for Oldham Woods' customers to access the utility for emergencies, billing inquiries, service issues, and to start or stop utility service. Therefore, Oldham Woods' motion to deviate should be granted.

To ensure that Oldham Woods continues to provide reasonable alternatives to enable its customers to receive appropriate customer service, Oldham Woods should file a report no later than December 15th every two years, beginning on December 15, 2022, setting forth the specific information requested in this proceeding regarding those reasonable alternatives. The information filed should include contracts with third parties that operate and maintain the utility facilities, generate customer bills, accept customer payments, and are contacts to report emergency and non-emergency sewer service to customers, address billing issues, and start or stop service.

Finally, Oldham Woods should follow sound business practices and enter into a written agreement with Oldham County Water District that sets forth the specific services that Oldham County Water District will provide and the fees for the service provided.

IT IS THEREFORE ORDERED that:

1. Oldham Woods' request to deviate from regulations to maintain and staff an office as set forth in its application is granted.
2. Beginning on December 15, 2022, and continuing on December 15th every two years, Oldham Woods shall file with the Commission documentation of the alternative arrangements that ensure that Oldham Woods' customers receive customer service consistent with Commission regulations. The documentation should include the types of evidence set forth in this Order.

3. Oldham Woods shall file a written notice within one week of ceasing to contract with Camden Environmental to operate and maintain the facility, and with Oldham County Water District to bill the customer, or handle customer service issues.

4. Within 90 days of the date of this Order, Oldham Woods shall file a copy of a written contract between Oldham Woods and Oldham County Water District, setting forth the specific services provided by Oldham County Water District, the remittal date for funds collected by Oldham County Water District, and the fees for services provided under the contract.

5. Documents filed pursuant to ordering paragraphs 2, 3 and 4 shall reference this case number and be filed in the post-case correspondence file.

6. The case is now closed and removed from the Commission's docket.

By the Commission

ENTERED
NOV 17 2020 rCS
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Deputy Executive Director

Case No. 2020-00303

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