

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC ALLEGED FAILURE OF LYON)	
COUNTY WATER DISTRICT AND ITS)	
INDIVIDUAL COMMISSIONERS DON)	CASE NO.
ROBERTSON AND CHARLES MURPHY, AND)	2021-00343
SUPERINTENDENT, WILLIAM ASHER, TO)	
COMPLY WITH KRS 278.230, 807 KAR 5:006,)	
SEC. 4(2), AND KRS 278.990)	

ORDER

The Commission on its own motion, establishes this proceeding to investigate, Lyon County Water District (Lyon District), and its individual commissioners, Don Robertson, Charles Murphy, and its superintendent, William Asher, for allegedly failing to comply with KRS 278.230, and 807 KAR 5:006 Section 4(2). The willful failure to comply presents prima facie evidence of incompetency, neglect of duty, gross immorality, or nonfeasance, misfeasance, or malfeasance in office sufficient to make Lyon District's commissioners and superintendent subject to the penalties of KRS 278.990, or removal pursuant to KRS 74.025. The Commission finds that a public hearing should be held on the merits of the allegations set forth herein.

LEGAL STANDARD

Under KRS 278.250 and KRS 278.260, the Commission is authorized to investigate and examine the condition of any utility subject to its jurisdiction, including any practice or act relating to the utility service. Under KRS 278.280, if the Commission finds that any practice or act is unjust, unreasonable, unsafe, improper, inadequate, or

insufficient, then the Commission has the authority to determine the just, reasonable, safe, proper, adequate, or sufficient practice or method to be observed. Upon a finding that Lyon District, its commissioners, or superintendent violated any provision of KRS Chapter 278, Commission regulations, or a Commission Order, KRS 278.990 authorizes the Commission to assess civil penalties not to exceed \$2,500 for each offense against a utility and against any officer, agent, or employee of a utility who willfully violates any provisions of KRS 278, Commission regulations, or Orders.

FINANCIAL CONCERNS

Lyon District was a party to the proceedings in Case No. 2019-00444¹ and based upon the testimony at the hearing in that matter and the fact that Lyon District had not received a base rate increase since 2003, the Commission's June 15, 2020 Order stated that Lyon District was to file a general rate case or alternative rate filing within one year of date of that Order. Lyon District has not submitted a general base rate adjustment or alternative rate filing since 1986.² The June 15, 2020 Order specifically addressed the fact that Lyon District had sought rate increases through financing approval or in conjunction with an application for a Certificate of Public Convenience and Necessity in 2003, but that is very different than the comprehensive review of a utility's total financial stability and operational viability that takes place in a traditional general rate adjustment

¹ Case No. 2019-00444, *Electronic Proposed Adjustment to the Wholesale Water Service Rates of Princeton Water and Wastewater*, (Ky. PSC June 15, 2020).

² Case No. 9524, *The Application of Lyon County Water District, Lyon County Kentucky for (1) a Certificate of Public Convenience and Necessity Authorizing Said District to Construct Major Improvements and Extensions to Its Existing Municipal Water Distribution System Pursuant to Provisions of Chapter 74 of the Kentucky Revised Statutes; (2) Seeking Approval of the Issuance of Certain Securities; (3) for an Adjustment of Rates, and (4) Approval to Purchase Lake Barkley Water System, Inc.* (Ky. PSC July 11, 1986).

case or an alternative rate adjustment case.³ In that Order, the Commission explained that Lyon District has increased its rates as part of financing cases through the United States Department of Agriculture Rural Development (RD), and noted that such increases are a method that the Commission found in Case No. 2019-00041⁴ is sometimes used to avoid Commission review of financial records. The Commission emphasized that fact as one of the reasons it was ordering Lyon District to file a general base rate adjustment or alternative rate adjustment case.⁵ Since that time, Lyon District has not filed a general base rate adjustment case or an alternative rate adjustment case. Lyon District filed Case No. 2021-00195,⁶ a purchased water adjustment case, with the final Order entered prior to June 15, 2021,⁷ however, based upon the discussion in the Commission's June 15, 2020 Order, the requirement to file a general base rate adjustment or alternative rate adjustment within one year of June 15, 2020, was clear, and Lyon District did not file a general base rate adjustment or alternative rate adjustment to comply with the Commission's Order.

Pursuant to 807 KAR 5:006 Section 4(2)(a), Lyon District was required to file its 2020 financial and statistical report (2020 Annual Report) before March 31, 2021. As of March 12, 2021, Lyon District had not filed its 2020 Annual Report and requested an

³ Case No. 2019-00444, *Electronic Proposed Adjustment of the Wholesale Water Service Rates of Princeton Water and Wastewater*, (Ky. PSC June 15, 2020) at 37–39.

⁴ Case No. 2019-00041, *Electronic Investigation into Excess Water Loss by Kentucky's Jurisdictional Water Utilities*, (Ky. PSC July 30, 2021).

⁵ Case No. 2019-00444, *Electronic Proposed Adjustment of the Wholesale Water Service Rates of Princeton Water and Wastewater*, (Ky. PSC June 15, 2020).

⁶ Case No. 2021-00195, *Electronic Purchased Water Adjustment Filing of Lyon County Water District*, (Ky. PSC June 4, 2021).

⁷ This type of case merely passes along increases in the cost of wholesale water purchased by the utility.

extension. Commission Staff notified Lyon District via email of the delinquent status, attached as Appendix B. On May 18, 2021, Commission Staff inquired again regarding Lyon District's missing 2020 Annual Report and Lyon District again requested an extension. By letter dated July 29, 2021, which is also attached as Appendix B, the Commission's Executive Director contacted Lyon District via certified mail noting the failure to file the 2020 Annual Report and indicated that if the information was not filed by August 13, 2021, the Commission may open an investigation pursuant to KRS Chapter 278 and 807 KAR 5:006 Section 4. Confirmation of receipt of the certified letter is attached hereto as Appendix B. Lyon District submitted for filing its 2020 Annual Report on September 1, 2021.

The Commission is concerned that the inability of Lyon District to provide complete, accurate financial data in response to Staff inquiries in a timely manner may be a symptom of greater financial and operational deficiencies. The fact that Lyon District is currently not in compliance with a Commission Order and has been late in filing required reports causes the Commission to question the capability of Lyon District's commissioners and superintendent to properly perform their respective duties at the utility.

CONCLUSION

KRS 278.230(3) states that every utility, when required by the Commission, shall file with it any reports, schedules, classifications, or other information that the Commission reasonably requires. Additionally, the statute continues that all such reports shall be under oath when required by the Commission. The Commission finds that a prima facie case exists that Lyon District violated KRS 278.230 and 807 KAR 5:006 Section 4 by

failing to file its 2020 Annual Report by March 31, 2021. Additionally, the Commission finds that a prima facie case exists that Lyon District violated the Commission's June 15, 2020 Order in Case No. 2019-00444.⁸

Pursuant to KRS 74.020(1), a water district shall be administered by a board of commissioners which shall control and manage the affairs of the district. The Commission finds that a prima facie case exists in that Lyon District commissioners: Don Robertson, Charles Murphy, acting in their respective official and individual capacities as commissioners of Lyon District; and William Asher, in his capacity as superintendent of Lyon District, an employee of the utility, willfully aided and abetted in the above violations and may be subject to penalties pursuant to KRS 278.990 or removal pursuant to KRS 74.025 for incompetency, neglect of duty, gross immorality, or nonfeasance, misfeasance, or malfeasance.

IT IS THEREFORE ORDERED that:

1. Lyon District; William Asher, in his capacity as superintendent; and Don Robertson, Charles Murphy, acting in their respective official and individual capacities as commissioners of Lyon District, shall submit to the Commission individual written responses to the allegations contained herein within 20 days of the date of entry of this Order, including but not limited to any, and all written testimony or documentation that would dispute the allegations contained herein.

2. Counsel for the parties shall enter an appearance or appearances within 20 days of the date of entry of this Order.

⁸ Case No. 2019-00444, *Electronic Proposed Adjustment of the Wholesale Water Service Rates of Princeton Water and Wastewater*, (Ky. PSC June 15, 2020).

3. The information requested in the Appendix to this Order shall be filed within 20 days of the date of entry of this Order.

4. The Commission directs Lyon District to the Commission's July 22, 2021 Order in Case No. 2020-00085⁹ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

5. Each response shall include the name of the witness responsible for responding to the questions related to the information provided. 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 the 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.

6. A party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

7. Lyon District; William Asher, in his capacity as superintendent; and Don Robertson, Charles Murphy, acting in their respective official and individual capacities as commissioners of Lyon District; shall appear on January 19, 2022, at 9 a.m. Eastern Standard Time, in the Richard Raff Hearing Room of the Commission's offices at 211

⁹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

Sower Boulevard in Frankfort, Kentucky, investigate their alleged failure to comply with the requirements of KRS 278.230, 807 KAR 5:006 Section: 4.

8. Lyon District shall file with the Commission, no later than January 4, 2022, 15 days prior to the hearing, a list of witnesses and exhibits to be presented at the January 19, 2022 hearing. Lyon District shall provide copies of any exhibit it intends to introduce into evidence at the hearing via electronic copy to Commission Staff.

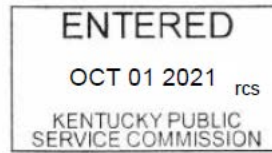
9. Lyon District shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov;" and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov." At the time the notice is mailed, or publication is requested, Lyon District shall forward a duplicate of the notice and request to the Commission.

10. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

11. The records of Commission Case No. 2019-00444 and Case No. 2021-00195 are made a part of the record by reference only.

12. Lyon County Judge Executive, Wade White shall be served with a copy of this Order.

By the Commission



ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2021-00343 DATED OCT 01 2021

1. Provide all Board Meeting Minutes for Lyon District for 2017, 2018, 2019, 2020, and 2021.
2. Provide all Monthly Water Loss Reports for 2017, 2018, 2019, 2020, and 2021.
3. Provide all Quarterly Meter Reports for 2017, 2018, 2019, 2020, and 2021.
4. Provide copies of Lyon District's 1099 and W-2 IRS Forms for 2017, 2018, 2019, 2020, and 2021.
5. Provide any, and all bank statements for all the bank accounts, and loans issued to Lyon District since 2017.

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2021-00343 DATED OCT 01 2021

TEN PAGES TO FOLLOW

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Don Robertson
Chairman
Lyon County Water District
P. O. Box 489
Kuttawa, KY 42055



9590 9402 5628 9308 7027 49

2. Article Number (Transfer from service label)

7019 1120 0001 6832 6827

COMPLETE THIS SECTION ON DELIVERY

A. Signature

 Signature
 X *Ryan Martin*
 Agent Addressee

B. Received by (Printed Name)

Ryan Martin

C. Date of Delivery

*8-4-21*D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

From: [PSC Reports](#)
To: lyoncountyw24787@bellsouth.net
Bcc: [PSC Reports](#)
Subject: Past Due Reporting
Date: Thursday, July 29, 2021 2:14:00 PM
Attachments: [Notice to Lyon County Water District for Failure to File 2020 Annual Financial and Statistical Report.pdf](#)

Please refer to the attached PDF for a copy of a letter issued today by the Public Service Commission in regards to past due reporting.



Andy Beshear
Governor

Rebecca W. Goodman
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

Michael J. Schmitt
Chairman

Kent A. Chandler
Vice Chairman

Talina R. Mathews
Commissioner

July 29, 2021

TRANSMITTED VIA EMAIL AND CERTIFIED MAIL

Don Robertson
Chairman
Lyon County Water District
P. O. Box 489
Kuttawa, KY 42055

Re: Failure to File Annual Financial and Statistical Report

Dear Mr. Robertson:

Pursuant to KRS 278.230(3) and 807 KAR 5:006, Section 4, utilities are required to file an annual financial and statistical report of its utility operations. This report is to cover the preceding year's activities and is due by March 31 annually. As of this date, Lyon County Water District has not filed their 2020 report.

This letter serves as notice that if the utility fails to file its annual report for the calendar year 2020 by August 13, 2021, the Commission may open an investigation to show cause why the utility should not be penalized for failing to file the report in violation of KRS Chapter 278 and 807 KAR 5:006, Section 4. This could result in a civil penalty in the amount of \$2,500 for each offense, pursuant to KRS 278.990.

Questions concerning this letter should be directed to PSCED@ky.gov.

Sincerely,


Linda C. Bridwell
Executive Director

From: Elaina Bond <ebond@tccpas.com>
Sent: Tuesday, May 18, 2021 11:20 AM
To: PSC Reports <PSC.Reports@ky.gov>
Subject: RE: Lyon County Water District - 2020 Annual Report Extensions

With the extension of tax season and it just ending yesterday we are going to need additional time to complete the annual report accurately.

Elaina Bond

Thurman Campbell Group, PLC
500 West Main St
Princeton, KY 42445
Phone: 270-365-9733
Fax: 270-365-9752

Stay Connected with TCG:



Confidentiality Notice: This electronic mail message contains confidential and legally privileged information intended only for the use of the recipient. If the reader of this message is not the intended recipient, the reader is hereby notified that any dissemination, distribution, copying or other use of this message is strictly prohibited and is hereby instructed to notify the sender immediately by return email and destroy this copy of this message.

From: PSC Reports <PSC.Reports@ky.gov>
Sent: Monday, March 22, 2021 2:27 PM
To: Elaina Bond <ebond@tccpas.com>
Cc: lyoncountyw24787@bellsouth.net
Subject: Lyon County Water District - 2020 Annual Report Extensions

Good afternoon,

The Kentucky Public Service Commission received your request for extensions of time on March 12, 2021, pursuant to 807 KAR 5:006, Section 4(3)(e), for filing the water and sewer 2020 Annual Financial and Statistical Reports (Annual Reports). Further, we received your Report of Gross Operating Revenues on March 6, 2021. Please be advised that you now have until **May 31, 2021**, to electronically submit the 2020 Annual Reports. These extensions shall not be cited as precedent in support of future requests and the Commission expects you to make every effort to eliminate the need for an extension for subsequent reports.

Please do not hesitate contacting me via email at PSC.Reports@ky.gov if you have any questions.

Kind Regards,

Jeff D. Cline
Kentucky Public Service Commission
Division of General Administration
211 Sower Blvd
P. O. Box 615
Frankfort, KY 40602

www.psc.ky.gov

From: Elaina Bond <ebond@tccpas.com>

Sent: Friday, March 12, 2021 5:22 PM

To: PSC Reports <PSC.Reports@ky.gov>

Subject: Lyon County Water District

I am requesting an extension for the Lyon County Water District. With tax season duties the auditor will not be able to complete the audit and I will not be able to complete the annual report accurately. The work load is too full.

Thanks,

Elaina Bond

Thurman Campbell Group, PLC

500 West Main St

Princeton, KY 42445

Phone: 270-365-9733

Fax: 270-365-9752

Stay Connected with TCG:



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From: Cline, Jeff D (PSC)
To: "lyoncountyw24787@bellsouth.net"
Subject: Water Utility's 2020 Annual and Gross Reports Due March 31, 2021
Date: Friday, January 15, 2021 3:13:00 PM

This correspondence is to serve as a reminder for **Lyon County Water District (ID 24500)** that the 2020 **Water District** Report of Gross Operating Revenues ("Gross Report") and the Annual Financial and Statistical Report ("Annual Report") are required to be filed with the Kentucky Public Service Commission ("KPSC") **no later than March 31, 2021**. **Each report may be submitted entirely electronically and no hard copies are required.**

Please note: If your company provides more than one service type, separate notices will be issued for each service type to the default regulatory email on file with the KPSC.

Any officer, agent, or employee of a utility failing to comply with reporting requirements may be subject to a civil penalty assessed by the commission up to the amount of two thousand five hundred dollars (\$2,500) for each offense or a criminal penalty of imprisonment for up to six (6) months, or both, as provided under KRS 278.990.

If you are not the individual that completes Gross and Annual Reporting to the KPSC on behalf of Lyon County Water District, please forward to your designated staff as this notice contains pertinent required and time-sensitive information.

Gross Report

One signed and notarized Gross Report for calendar year 2020 is required to be filed pursuant to KRS 278.140 and 807 KAR 5:006, Section 4(1). **A blank copy of a Gross Report may be filled out, signed/notarized and submitted via email to PSC.Reports@ky.gov**. If you submit via email, no hard copy is required. Ensure that the Gross Report complete, including utility's default regulatory email address, pursuant to 807 KAR 5:006, Section 3(2). Please do not upload a copy of the Gross Report with the e-filed Annual Report.

Refer to the following links for printing the Gross Report in the format of your choice:

PDF version: <http://psc.ky.gov/agencies/psc/forms/gor01.pdf>

Word version: <http://psc.ky.gov/agencies/psc/forms/gor01.doc>

Annual Report

The Annual Report should be completed in the KPSC's e-filing system for calendar year 2020 pursuant to 807 KAR 5:006, Section 4(2). A hard copy is not required.

An **Oath Page** should accompany your Annual Report which can be created at the **Create and Upload Page** located at last schedule on the left side of the screen of the Annual Report e-filing system. After your Annual Report Oath Page is printed, signed and notarized, simply scan and upload it back into the system under this same schedule. If you do not have scanning capabilities, you may mail a hard copy Oath Page to the address provided at the bottom of this email and we will upload on your behalf.

Further, there is an **Upload Supporting Documents** page to allow you a method to upload additional pages related to your Annual Report, if necessary. This page is the 2nd to last schedule shown on the left side of the screen, directly above the Create and Upload Oath Page schedule.

In the event you had an Audit performed and the **Audit Report** is ready at the time of your Annual Report

submission, a PDF copy of the report should be uploaded to be included with the Annual Report submission under this schedule. If you have an Audit performed but the Audit Report is not yet available, you may go ahead and submit your Annual Report. When the Audit Report is available, simply request for the Supporting Documents schedule to be placed back into edit mode by generating an email to PSC.Reports@ky.gov. We will then open up the schedule to allow you to upload the Audit Report.

Refer to the following link to log into the KPSC e-filing system for submitting the Annual Report:

KPSC E-Filing System: <https://psc.ky.gov/Security/account/login.aspx>

Water District Board Members Requirements for Appointments, Reappointments, Resignations, etc.

Pursuant to KRS 74.020(9), water districts are required to notify the KPSC, within thirty (30) days of the occurrence of a vacancy on its board of commissioners resulting from the expiration of a term or the death, resignation, or removal of the incumbent. The notice shall include the name of the commissioner who last held the position and the date on which the unexpired term will end.

Further, the Statute also requires water districts to notify the KPSC, within thirty (30) days of the appointment/reappointment of a commissioner and the appropriate fiscal court's approval of that appointment/reappointment. The notice shall include the appointed person's name and the date of the expiration of their term.

You may verify the current water district board members we have on file for your utility on our web site at:

<https://psc.ky.gov/WaterTraining/Commissioner/Commissioners?UtilID=24500>

If you see any discrepancy for your utility, please reach out to me at JeffD.Cline@ky.gov or (502) 782-2623.

It is now possible to electronically create a record for each term of your board members in our database acknowledging appointments/reappointments. To do so, when you first log into the KPSC e-filing system, click the "Water Commissioners" button. If you do not have access, you may edit your e-filing account and select new role for "Appointments – Water Commissioners" at the bottom of the registration page and save changes to your account.

Alternatively, you can reach the same destination to create a record for each term of your board members within the Annual Report itself, by clicking the schedule for "Commissioners", and then the link to "Modify Water Commissioners".

Please note, if you utilize the electronic database for commissioner terms, it is still necessary to follow-up with written documentation to accompany any changes to meet the requirements of KRS 74.020(9), including documentation from the Fiscal Court.

Annual Report Tips and Problem Solving

Making use of the **checklist** located at the 3rd to last schedule shown on the left side of the screen, just above the Upload Supporting Documents schedule, will help you eliminate cross-reference issues found in your report prior to submission. Also, be sure to click the **Save button** on each page when completing your Annual Report prior to moving on to the next page. After you save each page of your Annual Report, we recommend scrolling back to the top of each individual page and look for any description shown in red indicating errors that should be corrected prior to final submission.

Other helpful tips and instructions are available on our web site at:

<http://psc.ky.gov/agencies/psc/AnnualReport/AnnRptInstructions.pdf>

Extension Requests

Requests for an extension of time for submitting the Gross Report will be denied as the KPSC does not have the statutory authority to grant such an extension, and prompt filing is essential. For good cause shown, however, the KPSC may occasionally allow an extension of time for filing the Annual Report. The written request must provide a reasonable explanation and be submitted prior to the March 31 deadline.

Requests for extension of time to file an Annual Report should be submitted electronically by generating an email to PSC.Reports@ky.gov after submission of the Gross Report. Hard copy extension requests for filing an Annual Report are not necessary and may delay response.

Should you have any questions regarding reporting requirements, please do not hesitate contacting us at PSC.Reports@ky.gov.

Sincerely,

Jeff D. Cline
Kentucky Public Service Commission
Division of General Administration
211 Sower Blvd
P. O. Box 615
Frankfort, KY 40602

www.psc.ky.gov

From: Cline, Jeff D (PSC)
To: ["lyoncountyw24787@bellsouth.net"](mailto:lyoncountyw24787@bellsouth.net)
Subject: Sewer Utility's 2020 Annual and Gross Reports Due March 31, 2021
Date: Friday, January 15, 2021 3:16:00 PM

This correspondence is to serve as a reminder for **Lyon County Water District (ID 9002900)** that the 2020 **Sewer** Report of Gross Operating Revenues (Gross Report) and the Annual Financial and Statistical Report ("Annual Report") are required to be filed with the Kentucky Public Service Commission (KPSC) **no later than March 31, 2021**. **Each report may be submitted entirely electronically and no hard copies are required.**

Please note: If your company provides more than one service type, separate notices will be issued for each service type to the default regulatory email on file with the KPSC.

Any officer, agent, or employee of a utility failing to comply with reporting requirements may be subject to a civil penalty assessed by the commission up to the amount of two thousand five hundred dollars (\$2,500) for each offense or a criminal penalty of imprisonment for up to six (6) months, or both, as provided under KRS 278.990.

If you are not the individual that completes Gross and Annual Reporting to the KPSC on behalf of Lyon County Water District, please forward to your designated staff as this notice contains pertinent required and time-sensitive information.

Gross Report

One signed and notarized Gross Report for calendar year 2020 is required to be filed pursuant to KRS 278.140 and 807 KAR 5:006, Section 4(1). **A blank copy of a Gross Report may be filled out, signed/notarized and submitted via email to PSC.Reports@ky.gov**. If you submit via email, no hard copy is required. Ensure that the Gross Report complete, including utility's default regulatory email address, pursuant to 807 KAR 5:006, Section 3(2). Please do not upload a copy of the Gross Report with the e-filed Annual Report.

Refer to the following links for printing the Gross Report in the format of your choice:

PDF version: <http://psc.ky.gov/agencies/psc/forms/gor01.pdf>

Word version: <http://psc.ky.gov/agencies/psc/forms/gor01.doc>

Annual Report

The Annual Report should be completed in the KPSC's e-filing system for calendar year 2020 pursuant to 807 KAR 5:006, Section 4(2). A hard copy is not required.

An **Oath Page** should accompany your Annual Report which can be created at the **Create and Upload Page** located at last schedule on the left side of the screen of the Annual Report e-filing system. After your Annual Report Oath Page is printed, signed and notarized, simply scan and upload it back into the system under this same schedule. If you do not have scanning capabilities, you may mail a hard copy Oath Page to the address provided at the bottom of this email and we will upload on your behalf.

Further, there is an **Upload Supporting Documents** page to allow you a method to upload additional pages related to your Annual Report, if necessary. This page is the 2nd to last schedule shown on the left side of the screen, directly above the Create and Upload Oath Page schedule. In the event you had an Audit performed and the **Audit Report** is ready at the time of your Annual Report submission, a PDF copy of the report should be uploaded to be included with the Annual Report submission under this

schedule. If you have an Audit performed but the Audit Report is not yet available, you may go ahead and submit your Annual Report. When the Audit Report is available, simply request for the Supporting Documents schedule to be placed back into edit mode by generating an email to PSC.Reports@ky.gov. We will then open up the schedule to allow you to upload the Audit Report.

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Annual Report Tips and Problem Solving

Making use of the **checklist** located at the 3rd to last schedule shown on the left side of the screen, just above the Upload Supporting Documents schedule, will help you eliminate cross-reference issues found in your report prior to submission. Also, be sure to click the **Save button** on each page when completing your Annual Report prior to moving on to the next page. After you save each page of your Annual Report, we recommend scrolling back to the top of each individual page and look for any description shown in red indicating errors that should be corrected prior to final submission.

Other helpful tips and instructions are available on our web site at:
<http://psc.ky.gov/agencies/psc/AnnualReport/AnnRptInstructions.pdf>

Extension Requests

Requests for an extension of time for submitting the Gross Report will be denied as the KPSC does not have the statutory authority to grant such an extension, and prompt filing is essential. For good cause shown, however, the KPSC may occasionally allow an extension of time for filing the Annual Report. The written request must provide a reasonable explanation and be submitted prior to the March 31 deadline. **Requests for extension of time to file an Annual Report should be submitted electronically by generating an email to PSC.Reports@ky.gov after submission of the Gross Report.** Hard copy extension requests for filing an Annual Report are not necessary and may delay response.

Should you have any questions regarding reporting requirements, please do not hesitate contacting us at PSC.Reports@ky.gov.

Sincerely,

Jeff D. Cline
Kentucky Public Service Commission
Division of General Administration
211 Sower Blvd
P. O. Box 615
Frankfort, KY 40602

www.psc.ky.gov

*Lyon County Water District
5464 U. S. Highway 62 West
P. O. Box 489
Kuttawa, KY 42055

*Lyon County Water District
Lyon County Water District
5464 U. S. Highway 62 West
P. O. Box 489
Kuttawa, KY 42055