

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
RURAL WATER ASSOCIATION FOR)	CASE NO.
ACCREDITATION APPROVAL OF A PROPOSED)	2023-00023
WATER DISTRICT MANAGEMENT TRAINING)	
PROGRAM)	

ORDER

On February 14, 2023, the Commission entered an Order conditionally approving and accrediting the water district commissioner training program (Training Program) offered by Kentucky Rural Water Association (KRWA). The Training Program, scheduled to take place on February 22, 2023, was approved to satisfy up to five hours of annual training as described in KRS 74.020(6) and (7). Following the training, KRWA submitted materials indicating that the Training Program was conducted as scheduled. The materials included a description of changes in the proposed curriculum that occurred after the submission of the application, the name and district of each attending water district commissioner, and the number of hours that each water district commissioner attended. Because KRWA expanded the training curriculum provided from five to six hours, KRWA also requested that the Commission modify its approval, and approve the Training Program for six hours of training for water district commissioners.

LEGAL STANDARD

KRS 74.020(7)(b) provides that the Commission is responsible for the regulation of water district commissioner training. KRS 74.020(7)(a) provides for an increase in

salary for commissioners upon successful completion of six instructional hours of water district management training annually.

DISCUSSION

In the February 14, 2023 Order, the Commission conditionally approved five hours of the Training Program and denied conditional approval of the one-hour session entitled “Stress in the Workplace”. As part of the conditional approval for the five hours, KRWA was required to make a number of filings within 45 days after the training. This included a description of any changes that occurred to the curriculum after the application was filed.

As part of the required filing, KRWA provided information of the changes made to the curriculum. KRWA stated that the approved presentation, “Overview of PFAS Impacts and Removal Technology Solutions” (Geoff Pellechia)¹ was moved to the Session 1 time slot to replace the unapproved session. KRWA further stated that the sessions entitled “Recent Developments in Utility Regulation” (Damon Talley) and “In the Dock: Show Cause Proceedings Before the Public Service Commission” (Gerald Wuetcher) were both expanded from one hour to one and a half hours. With these changes, KRWA requested that the Commission approve the Training Program for six hours of water district commissioner training, instead of five hours conditionally approved.

Having reviewed the materials submitted by KRWA and being otherwise sufficiently advised, the Commission, on its own motion, finds that the Training Program should be approved for six hours of training for water district commissioners. The two sessions entitled “Recent Developments in Utility Regulation” and “In the Dock: Show

¹ See Application, Exhibit 3b at 5 “PFAS” stands for Per and polyfluoroalkyl substances.

Cause Proceedings Before the Public Service Commission” were conditionally approved in the February 14, 2023 Order and, because both sessions were expanded by half an hour each, water district commissioners received a total of six hours of training in sessions conditionally approved by the Commission.


The Commission also finds that the Training Program should be granted final approval because KRWA provided all supplemental materials that evidenced the training provided to water district commissioners as required by the February 14, 2023 Order.

The Commission notes that KRWA’s application and notice of compliance with the Commission’s February 14, 2023 Order was submitted on behalf of KRWA by KRWA’s education coordinator. Upon information and belief, the Commission further notes that KRWA’s education coordinator is not an attorney licensed to practice law in Kentucky. The Commission reminds KRWA that 807 KAR 5:001E, Section 4(4) requires a person filing a paper on behalf of an organization to be licensed to practice law in Kentucky. For the above reasons, the Commission finds that all future filings by KRWA should be filed by an attorney licensed to practice law in Kentucky.

IT IS THEREFORE ORDERED that:

1. The Training Program is approved and accredited for a maximum of six hours of water district management training for water district commissioners seeking to satisfy the annual training requirements set forth in KRS 74.020(6) and (7).
2. The Training Program may not be used by water district commissioners seeking to satisfy any portion of the initial training requirement for water district commissioners required by KRS 74.020(8).
3. This matter is closed and removed from the Commission’s docket.

PUBLIC SERVICE COMMISSION



Chairman


Vice Chairman


Commissioner

ENTERED
JUN 07 2023 bsb
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


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