

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|---------------------------------------|---|------------|
| ELECTRONIC APPLICATION OF SOUTH |) | |
| HOPKINS WATER DISTRICT AND INDIVIDUAL |) | |
| COMMISSIONER ROBERT TUCKER FOR AN |) | CASE NO. |
| EXTENSION OF TIME TO COMPLETE |) | 2024-00398 |
| REQUIRED WATER DISTRICT MANAGEMENT |) | |
| TRAINING |) | |

ORDER

On December 17, 2024, South Hopkins Water District (South Hopkins District), and Commissioner Robert Tucker (collectively, the Applicants), filed an application for an extension of time until May 6, 2025, for Commissioner Tucker to complete the required six hours of Water Commissioner Management Training for calendar year 2024 in order to receive an annual salary exceeding \$3,600.

LEGAL STANDARD

KRS 74.020(6) allows a water district commissioner to receive a salary of not more than \$3,600. An exception is created for a water district commissioner who completes a minimum of six hours of water district management training approved by the Public Service Commission within the calendar year may receive an annual salary for the same calendar year of not more than \$6,000, so long as the salary was fixed by the county judge/executive with the approval of the fiscal court. However, KRS 74.020(9) allows the Commission to grant a reasonable extension of time, not to exceed six months, for good cause shown.

DISCUSSION AND FINDINGS

The Applicants requested that the Commission approve an extension of time for Commissioner Tucker until May 6, 2025, to complete the training which KRS 74.020(6) required to be completed by December 31, 2024.¹ The Applicants stated that Commissioner Tucker received a salary of more than \$3,600 for the 2024 calendar year, but due to a medical condition, which places restrictions on his ability to travel, he was unable to attend training.² Commissioner Tucker's medical condition does not allow for overnight travel.³ The Applicants stated that, when Commissioner Tucker checked the availability of training opportunities in the last five months of 2024, he became aware that there were no trainings offered close enough to his location to allow him to commute to the training and not stay overnight..⁴ The Applicants also stated that Commissioner Tucker has been a Commissioner since June 8, 2001.

South Hopkins District's Annual Report filings indicate that Commissioner Tucker has received an annual salary of \$6,000 for at least the previously reported five years.⁵ A review of Commission records also indicates that there has not been a previous motion requesting an extension to complete the training required by KRS 74.020(6) or KRS 74.020((8)(b) filed by any Commissioner of South Hopkins District.

¹ Application at 1.

² Application at 2.

³ Application at 2.

⁴ Application at 2.

⁵ *Annual Report of South Hopkins District to the Public Service Commission (Annual Report of South Hopkins District) for the Year Ending December 31, 2022*, at 15. *2021 Annual Report of South Hopkins District*, at 15, *2020 Annual Report of South Hopkins District*, at 15. *2019 Annual Report of South Hopkins District*, at 15, *2018 Annual Report of South Hopkins District*, at 15.

The Commission finds that the Applicants' request should be granted. The Commission finds that, being unable to complete the required training within the required time frame due to a medical condition is good cause for an extension, and the requested extension is reasonable, as it does not exceed six months. The Commission notes that the Applicants have been aware of this issue for five months and only filed the motion in the last few days of the year and the Applicants did not provide an explanation for the delay. In the future, filing of such requests should be made closer in time to the discovery of the inability to complete the required training. In light of the fact that Commissioner Tucker appears to have been in compliance with KRS 74.020(6) in the past, and that no other similar applications have been filed by South Hopkins District, good cause exists to grant the extension.


IT IS THEREFORE ORDERED that:

1. The Applicants' request for an extension through May 6, 2025, for Commissioner Tucker to complete the required six hours of training to receive a salary of greater than \$3,600 for the 2024 calendar year is granted.
2. This case is closed and removed from the Commission's docket.

PUBLIC SERVICE COMMISSION



Chairman



Commissioner



Commissioner

ATTEST:

Executive Director

ENTERED
JAN 10 2025 AH
KENTUCKY PUBLIC
SERVICE COMMISSION

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