

CHRISTIAN R. HARRIS
ATTORNEY AT LAW
128 EAST SECOND AVENUE
P. O. BOX 257
WILLIAMSON, WEST VIRGINIA 25661

PHONE (304) 235-2131
FACSIMILE (304) 235-2132

RECEIVED
JUL 3 2013
PUBLIC SERVICE
COMMISSION

CHRISTIAN R. HARRIS (WV & KY)

June 28, 2013

Public Service Commission
Post Office Box 615
Frankfort, Kentucky 40602

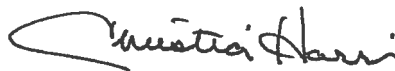
Re: McCoy et al v. Mountain Water District
Case No. 2013-00092

Dear Members:

Enclosed herewith please find Petitioners Testimony Affidavits submitted in compliance with the Commissions ORDER entered on April 18, 2013. Copies of the attached Affidavits have been forwarded to counsel for the Respondent.

Please contact me if you have any questions.

Sincerely,



Christian R. Harris

CRH/bw
Enclosures
cc: Hon. John Hughes

COMMONWEALTH OF KENTUCKY
BEFORE THE
PUBLIC SERVICE COMMISSION

RECEIVED

JUL 3 2013

PUBLIC SERVICE
COMMISSION

IN RE:

CASE #: 2013-00092

CLARK MCCOY ET AL

PETITIONERS

v

MOUNTAIN WATER DISTRICT

RESPONDENT


TESTIMONY AFFIDAVIT OF PETITIONERS CLARK AND DEBBIE MCCOY

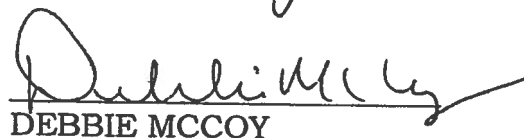
The undersigned Affiants, Clark McCoy and Debbie McCoy, his wife, after being first duly sworn, do hereby swear and affirm that the following statements are true and correct to the best of their knowledge, except wherein stated to be upon information and belief, wherein such instances the statements are believed to be true and correct:

1. We are Petitioners in the above styled case and our address is 277 Hillcrest Drive, Belfry, Pike County, Kentucky; and
2. We are residents of the Belfry/Pond Creek area and would be waste water customers of the Respondent if waste water service was made available to us; and
3. We currently have a septic tank which has caved in and is in need of replacement or costly repairs; and
4. Replacement of our current septic system cannot be achieved upon our land and be in compliance with Pike County Health Department regulations; and

5. We have each contacted the Respondent by phone, attended a public meeting and Clark McCoy has attended a Board Meeting of the Respondent to request waste water service be provided to us; and
6. Other than requests for coal severance funds, we are unaware of any funding requests made by the Respondent for financing of the Belfry/Pond Creek Waste Water Project; and
7. Respondent has been awarded approximately \$3,158,846.00 in Pike County Single County Coal Severance Funds toward the Belfry/Pond Creek Waste Water Treatment Project; and
8. Upon information and belief, the amount of \$278,207.10 for engineering costs has been drawn down to pay Summit Engineering from the available funds as of November, 2012; and
9. Upon information and belief, as of November, 2012 none of the available funds had been drawn against since July of 2010 according to Kentucky Infrastructure Authority employee Debbie Minton.
10. We are currently customers of the Respondent's water service, which supplies us with water purchased from the City of Williamson, West Virginia, which obtains its water from the Tug Fork of the Big Sandy River; and
11. There are straight pipes in the Belfry/Pond Creek area whereby raw sewage is discharged directly into Pond Creek, a tributary of the Tug Fork River which serves as a source of water for the Respondent; and

Executed on this the 28 day of June, 2013.


CLARK MCCOY


DEBBIE MCCOY

Commonwealth of Kentucky;
County of Pike: To-Wit

The above Affidavit was taken, subscribed and sworn to before the undersigned Notary Public on this the 28 day of June, 2013, by Clark McCoy and Debbie McCoy, to be their free acts and deeds.

My commission expires:

February 14, 2015.

[SEAL]



Donetta Rutherford
Notary Public