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January 9, 2014

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*ADMITTED IN KY & TN

RECEIVED

JAN 13 2014

PUBLIC SERVICE
COMMISSION

Jeff Derouen, Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602-0615

RE: *Roy G. Cooksey, M.D. v. Bowling Green Municipal Utilities Board, et al.*
PSC Case No. 2013-00109

Dear Mr. Derouen:

Enclosed please find the original and ten copies of a Verified Responses to Supplemental Requests for Information on Behalf of Defendant, Warren County Water District.

Thank you for your assistance in this regard. Please call with any questions.

Very truly yours,

COLE & MOORE, P.S.C.



Frank Hampton Moore, Jr.
Matthew P. Cook

Enclosures

cc: John Dix (w/o encl.)

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

JAN 13 2014

PUBLIC SERVICE
COMMISSION

IN THE MATTER OF

ROY G. COOKSEY, M.D.,

COMPLAINANT

V.

CASE NO. 2009-00190

WARREN COUNTY WATER DISTRICT,

DEFENDANT

**VERIFIED RESPONSES TO SUPPLEMENTAL REQUESTS FOR
INFORMATION ON BEHALF OF DEFENDANT,
WARREN COUNTY WATER DISTRICT**

Defendant, Warren County Water District, by counsel, for its response to the Complainant's supplemental request for information, states as follows:

1. Identify the person responsible for the preparation of the response to the Supplemental Requests for Information setting forth such person's name, official position with the Defendant and business address.

RESPONSE:

**John Dix, General Manager
Warren County Water District
P.O. Box 10180
Bowling Green, KY 42102**

**Frank Hampton Moore, Jr.
Cole & Moore, P.S.C.
921 College Street
P.O. Box 10240
Bowling Green, KY 42102-7240**

2. What is your definition of the term "jurisdictional limits" as set forth in the reciprocal resolution of the Board of Commissioners of the Warren County Water District dated 29 August 2006?

RESPONSE: The limits of the area within which the District's authority to provide sewer service may be exercised.

3. What is your definition of the term "sewer service area"?

RESPONSE: The area within which sewer service may be provided.

4. What is your definition of the term "jurisdictional sewer service area"?

RESPONSE: This term has not been used by the District.

5. Are the sewer service areas as set forth in the resolution referred to in Request No. 2 areas presently receiving sewer service or are they proposed areas for sewer service in the near future?

RESPONSE: These are areas that are presently receiving sewer service and areas where service may be provided in the future.

6. Are the sewer service areas adopted areas where both Warren County Water District and Bowling Green Municipal Utilities have regulatory jurisdiction?

RESPONSE: The term is unclear and therefore cannot be answered.

7. What obligations do you have with respect to supplying water and sewer service in your water service area and sewer service area?

RESPONSE: The District's obligations are as established by federal and state law and administrative regulations.

8. Do you take the position that the providing of utility services by you is confined to the territorial boundaries of the Warren County Water District?

RESPONSE: Yes.

9. Is your jurisdictional and regulatory authority bounded by sewer service area boundaries or your territorial boundaries?

RESPONSE: Warren County Water District has a territorial boundary and a service area. Service may be provided within the territorial boundary.

10. How many individual sewer service areas and water service areas are presently within your territorial limits?

RESPONSE: One water service area and one sewer service area.

11. What are the boundaries of the sewer service area which includes the front thirty (30) acres of the Complainant's farm on Lovers Lane?

RESPONSE: The boundary of the sewer service area across the Complainant's farm is exactly the same as the territorial boundary for the District as established by Warren Fiscal Court in 1975.

12. Is there any specific legislation authorizing you to assign to another utility jurisdictional authority to sewer service areas?

RESPONSE: Although not specific to service areas, KRS 74.070(1) states "The commission shall be a body corporate for all purposes, and may make contracts for the water district with municipalities and other persons."

13. Was the reciprocal resolution of the Board of Commissioners of the Warren County Water District referred to in Request No. 2 a planning suggestion or recommendation for the sewer update plan or do you take the position that it is an enforceable regulatory document?

RESPONSE: It is a reciprocal resolution of both boards.

14. Prior to adopting the reciprocal resolution referred to in Request No. 2, was notice given to the public or to the property owners impacted and were they given an opportunity to address the Board of Commissioners prior to adoption of the reciprocal resolution?

RESPONSE: No. The reciprocal resolution was approved at a properly advertised public meeting of both boards.

15. Was the action by you in adopting the sewer service boundaries set forth in the reciprocal resolution described in Request No. 2 above submitted for approval by the Public Service Commission; and, if so, please provide a copy of the submission and the decision of the Public Service Commission with respect thereto?

RESPONSE: No.

16. Was the action by you in adopting the sewer service boundaries set forth in the reciprocal resolution described in Request No. 2 above submitted for approval by the County Judge/Executive of Warren County or the Warren County Fiscal Court?

RESPONSE: No.

17. Did the establishment of the sewer service area to be served by BGMU increase or decrease your sewer jurisdictional area?

RESPONSE: The overall size of the sewer service area decreased.

18. What are the boundaries of the sewer service area for the Lovers Lane sewer line extension?

RESPONSE: There is no specific service area for that sewer extension. The Reciprocal Resolution with BGMU governs the limits of sewer service.

19. Is the Lovers Lane sewer line extension project described and included as a proposal in your most recent sewer update plan?

RESPONSE: No.

20. Is the division of the Complainant's farm on Lovers Lane into two (2) sewer service areas (one for the Defendant and one for the Bowling Green Municipal Utilities) described in your most recent sewer update plan?

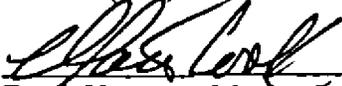
RESPONSE: The sewer service area boundary is mentioned in the report and the boundary map is included in Appendix O.

21. What is the distance from the current Lovers Lane sewer line which serves the front thirty (30) acres of the Complainant's farm to the rear portion of Complainant's farm which is located in the Bowling Green Municipal Utilities' sewer service area?

RESPONSE: The distance from the sewer manhole on the Complainant's farm to the rear portion of the farm is approximately 953 feet.

This 9th day of January, 2014.

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Frank Hampton Moore, Jr.
Matthew P. Cook
Counsel for Warren County Water District

VERIFICATION

The undersigned, after first being duly sworn, states that he is the General Manager of the Warren County Water District, and hereby verifies that the information contained in this response are true and correct to the best of his knowledge and belief.

This 9 day of January, 2014.



John Dix
General Manager

