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JAN 13 2015

PUBLIC SERVICE  
COMMISSION

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC COMMISSION

**In the Matter of:**

WESTERN FLEMING COUNTY WATER DISTRICT }  
AND ITS INDIVIDUAL COMMISSIONERS, }  
VERNON BARTON, JAMES HUSTON; LARRY INGRAM; }  
BILLY MCINTYRE, ANTHONY OVERBY, AND }  
FRED ROSE ALLEGED FAILURE TO COMPLY }  
WITH KRS 278.020(1) AND KRS 278.300(1) }

**CASE NO.**  
**2014-00400**

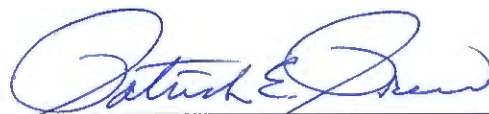
**To:** Mr. Jeff Deroucn  
Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602-0645

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Pursuant to paragraph number 1 of the Order entered by the Public Service Commission in the above-styled case on December 16, 2014, the current and former Commissioners of the Western Fleming County Water District wish to submit their individual written responses. The members are:

1. Vernon Barton
2. Anthony Overby
3. Fred Rose
4. James Huston
5. Larry Ingram
6. Billy McIntyre

Their individual responses are attached.

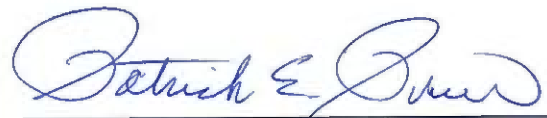


**PATRICK E. PRICE**  
**SUIT, PRICE, PRICE & RUARK, PLLC**  
**207 COURT SQUARE**  
**FLEMINGSBURG, KY 41041**  
**(606) 849-2338**  
*Attorney for Western Fleming Water District*

\*\*\* \*\*

The individual written responses were mailed, postage prepaid, by U.S. Mail, overnight delivery, this 12<sup>th</sup> day of January 2015.

Mr. Jeff Deroucn  
Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602-0645



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**PATRICK E. PRICE**

*Attorney for Western Fleming Water District*

</WFCWD/Submit Responses (1-12-15)>

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In the Matter of:

WESTERN FLEMING COUNTY WATER )  
DISTRICT AND ITS INDIVIDUAL )  
COMMISSIONERS, VERNON BARTON, JAMES )  
HUSTON, LARRY INGRAM, BILLY MCINTYRE, ) CASE NO.  
ANTHONY OVERBY, AND FRED ROSE ) 2014-00400  
ALLEGED FAILURE TO COMPLY WITH KRS )  
278.020(1) AND KRS 278.300(1) )

\* \* \*

RESPONSE

Pursuant to paragraph 1 of the Order entered December 16, 2014, I submit the following individual response:

1. I have been a member of the Western Fleming County Water District since 1992.
2. I am a full-time farmer and self-employed carpenter and have served as a citizen member appointed by the County Judge/Executive for 22 years, and I am the present chairman.
3. I have attended all required training sessions and seminars sponsored by the Public Service Commission and Division of Water.
4. HDR/Quest Engineers have helped us with previous projects in the past, and they have obtained all permits, approvals and certificates needed.
5. HDR/Quest helped us in obtaining a loan through KIA to improve our system so that we would be compliant with the request of the Division of Water. I thought they had obtained all certificates needed, as they had done in past projects.
6. All expenditures for the last project were used to improve and maintain our current plant and system, and most had been requested by the Division of Water.

7. I try to operate within all laws and regulations of the State of Kentucky and the Public Service Commission. I did not know that we needed to seek approval of the Public Service Commission in order to issue indebtedness. I relied upon our engineers to get all certificates and approvals needed. I had no reason to try to get around or avoid any of my obligations to the Public Service Commission. I am very sorry that this has occurred, and will be careful in the future to never let it happen again.

  
VERNON BARTON

<r/Misc/Response-GFCRWC (Barton)>

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ANTHONY OVERBY, AND FRED ROSE )  
ALLEGED FAILURE TO COMPLY WITH KRS )  
278.020(1) AND KRS 278.300(1) )

CASE NO.  
2014-00400

\* \* \*

RESPONSE

Pursuant to paragraph 1 of the Order entered December 16, 2014, I submit the following individual response:

1. I have been a member of the Western Fleming County Water District since February 1995.
2. I am a full-time farmer and have served as a citizen member appointed by the County Judge/Executive for 20 years.
3. I have attended all required training sessions and seminars sponsored by the Public Service Commission and Division of Water.
4. HDR/Quest Engineers have helped us with previous projects in the past, and they have obtained all permits, approvals and certificates needed.
5. HDR/Quest helped us in obtaining a loan through KIA to improve our system so that we would be compliant with the request of the Division of Water. I thought they had obtained all certificates needed, as they had done in past projects.

6. All expenditures for the last project were used to improve and maintain our current plant and system, and must have been requested by the Division of Water.

7. I try to operate within all laws and regulations of the State of Kentucky and the Public Service Commission. I did not know that we needed to seek approval of the Public Service Commission in order to issue indebtedness. I relied upon our engineers to get all certificates and approvals needed. I had no reason to try to get around or avoid any of my obligations to the Public Service Commission. I am very sorry that this has occurred, and will be careful in the future to never let it happen again.

  
JAMES HUSTON

</Misc/Response-GFCRWC (Huston)>

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HUSTON, LARRY INGRAM, BILLY MCINTYRE, )  
ANTHONY OVERBY, AND FRED ROSE )  
ALLEGED FAILURE TO COMPLY WITH KRS )  
278.020(1) AND KRS 278.300(1) )

CASE NO.  
2014-00400

\* \* \*

RESPONSE

Pursuant to paragraph 1 of the Order entered December 16, 2014, I submit the following individual response:

1. I have been a member of the Western Fleming County Water District since June 1998.
2. I am a retired farmer and operator of a country store, and I have served as a citizen member appointed by the County Judge/Executive for 17 years.
3. I have attended all required training sessions and seminars sponsored by the Public Service Commission and Division of Water.
4. HDR/Quest Engineers have helped us with previous projects in the past, and they have obtained all permits, approvals and certificates needed.
5. HDR/Quest helped us in obtaining a loan through KIA to improve our system so that we would be compliant with the request of the Division of Water. I thought they had obtained all certificates needed, as they had done in past projects.

6. All expenditures for the last project were used to improve and maintain our current plant and system, and most had been requested by the Division of Water.

7. I try to operate within all laws and regulations of the State of Kentucky and the Public Service Commission. I did not know that we needed to seek approval of the Public Service Commission in order to issue indebtedness. I relied upon our engineers to get all certificates and approvals needed. I had no reason to try to get around or avoid any of my obligations to the Public Service Commission. I am very sorry that this has occurred, and will be careful in the future to never let it happen again.

  
BILLY McINTYRE

<r/Misc/Response-GFCRWC (McIntyre)>



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ALLEGED FAILURE TO COMPLY WITH KRS )  
278.020(1) AND KRS 278.300(1) )

PUBLIC SERVICE  
COMMISSION

CASE NO.  
2014-00400

\* \* \*

RESPONSE

Pursuant to paragraph 1 of the Order entered December 16, 2014, I submit the following individual response:

1. I was a member of the Western Fleming County Water District since 2006.
2. I am a minister and have served as a citizen member appointed by the County Judge/Executive for 8 years, and I am the present vice chairman.
3. I have attended all required training sessions and seminars sponsored by the Public Service Commission and Division of Water.
4. HDR/Quest Engineers have helped us with previous projects in the past, and they have obtained all permits, approvals and certificates needed.
5. HDR/Quest helped us in obtaining a loan through KIA to improve our system so that we would be compliant with the request of the Division of Water. I thought they had obtained all certificates needed, as they had done in past projects.
6. All expenditures for the last project were used to improve and maintain our current plant and system, and must have been requested by the Division of Water.

7. I try to operate within all laws and regulations of the State of Kentucky and the Public Service Commission. I did not know that we needed to seek approval of the Public Service Commission in order to issue indebtedness. I relied upon our engineers to get all certificates and approvals needed. I had no reason to try to get around or avoid any of my obligations to the Public Service Commission. I am very sorry that this has occurred, and will be careful in the future to never let it happen again.



LARRY INGRAM

</Misc/Response-GFCRWC (Ingram)>

January 2, 2015

Kentucky Public Service Commission

RE: Case No. 201400400

TO WHOM IT MAY CONCERN:

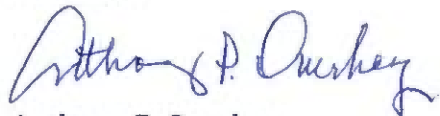
During a field review of Western Fleming County Water District, the Kentucky PSC found that Western Fleming failed to comply with KRS278.020 and KRS 278.800.

Western Fleming believed that improvements to maintenance equipment and associated facilities were needed to insure a reliable source of quality potable water. Western Fleming then retained the services of HDR Engineering to determine the feasibility and need for the project. After their study, they concurred that the project indeed was necessary. KIA was then contacted to finance the project. It was approved for financing and the project was begun in 2009 and completed in 2013.

The project has met the need for which it was intended. It is my belief that HDR Engineering was responsible for providing the CPCN to the commission in its scope of services. Furthermore, it is difficult to believe that KIA provided funding without having a CPCN.

I understand that final responsibility rests with the commissioners of Western Fleming. It was never the intent to deceive the commission regarding this project or to believe that the CPCN had not been provided to the proper entities.

Sincerely,

A handwritten signature in blue ink that reads "Anthony P. Overbey". The signature is cursive and fluid.

Anthony P. Overbey  
Commissioner

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ALLEGED FAILURE TO COMPLY WITH KRS	)	
278.020(1) AND KRS 278.300(1)	)	

\* \* \*

**RESPONSE**

Pursuant to paragraph 1 of the Order entered December 16, 2014, I submit the following individual response:

1. I was a member of the Western Fleming County Water District from December 1999 through 2011.
2. I am a full-time farmer and have served as a citizen member appointed by the County Judge/Executive for 12 years.
3. I have attended all required training sessions and seminars sponsored by the Public Service Commission and Division of Water.
4. HDR/Quest Engineers have helped us with previous projects in the past, and they have obtained all permits, approvals and certificates needed.
5. HDR/Quest helped us in obtaining a loan through KIA to improve our system so that we would be compliant with the request of the Division of Water. I thought they had obtained all certificates needed, as they had done in past projects.

6. All expenditures for the last project were used to improve and maintain our current plant and system, and most had been requested by the Division of Water.

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FRED ROSE

<r/Misc/Response-GFCRWC (Rose)>