

Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet



Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

January 15, 2015

Mr. Teddy Roberts
204 Roberts Road
Nancy, Kentucky 42544

Re: Case No. 2014-00406
Request to Fill Vacancies on Western Pulaski County Water District Board of Commissioners

Dear Mr. Roberts,

The Kentucky Public Service Commission has initiated a proceeding to consider a request to appoint two individuals to vacancies on the Western Pulaski County Water District's Board of Commissioners. The vacancies are for terms running through July 11, 2018. We are contacting you as you have been nominated by Western Pulaski County Water District's Chairperson, Don Calder, to fill one of the two vacancies.

We have attached the Order initiating this proceeding for your review. Pursuant to Ordering Paragraph 4, individuals interested in the position must submit the requested information set forth in Appendix B of the attached Order no later than February 1, 2015. The failure to file the requested information within 20 days of your January 12, 2015 nomination will be considered as notice of no interest in being considered for appointment to Western Pulaski County Water District's Board of Commissioners.

Thank you for your assistance in this matter. If you have any questions about this process, please feel free to contact me or Aaron Cole, Staff Attorney, at (502) 782-2591.

Sincerely,


Jeff Derouen
Executive Director

AAC/ph
Enclosure
cc: Honorable Don Calder

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST TO FILL VACANCIES ON WESTERN)
PULASKI COUNTY WATER DISTRICT BOARD) CASE NO.
OF COMMISSIONERS) 2014-00406
)

ORDER

Don Calder, Chairperson of Western Pulaski County Water District's ("Western Pulaski District") Board of Commissioners, has advised the Commission in writing of the existence of two vacancies on Western Pulaski District's Board of Commissioners due to the expiration of his term and that of Teddy Roberts; has requested that the Commission fill the vacancies; and has proposed that he and Mr. Roberts be reappointed. A copy of Mr. Calder's letter is attached as Appendix A.

Commission records indicate that the terms of Don Calder and Teddy Roberts ended on July 11, 2014.¹ Commission records also indicate that the term of Joel Wilson expired on October 4, 2014.² Commission records do not reflect the appointment of any successors upon the expiration of their terms.³

KRS 74.020(4), which addresses the appointment of members to the boards of commissioners of water districts, states:

¹ Annual Report of Western Pulaski District to the Kentucky Public Service Commission for the Year Ended December 31, 2013 at 6.

² *Id.*

³ KRS 74.020(9) requires water districts to report to the Commission all vacancies resulting from the expiration of a term or the death, resignation, or removal of the incumbent and all appointments within 30 days of the appointment or the occurrence of the vacancy.

Vacancies shall be filled by the same appointing authority which is empowered to make the original appointment. Vacancies resulting from cause other than expiration of the term shall be filled for the unexpired term only. Notwithstanding the provisions of KRS 67.710, a vacancy resulting from the expiration of a term or the death, resignation, or removal of the incumbent shall be filled by the Public Service Commission if, within ninety (90) days following the vacancy, the vacancy has not been filled by the appropriate county judge/executive with approval of the fiscal court.

The Commission finds that a proceeding should be initiated to consider the request to appoint two Water District Commissioners for the terms that expired on July 11, 2014. The Commission also finds that Mr. Calder should submit any nominations to fill the vacancies as set forth in Ordering Paragraph 3 below. The Commission also finds that less than ninety days have passed since Joel Wilson's term expired; therefore, jurisdiction to fill the expired term of this member of Western Pulaski District's Board of Commissioners remains with the Pulaski County Judge/Executive. If more than 90 days pass following the expiration of Joel Wilson's term, jurisdiction to fill this vacancy will lie with the Commission.

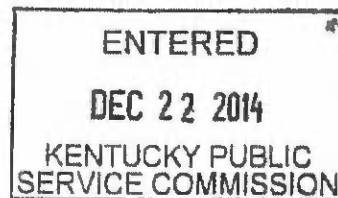
IT IS THEREFORE ORDERED that:

1. This proceeding is initiated to fill existing vacancies on Western Pulaski District's Board of Commissioners due to the expiration of two terms on July 11, 2014.
2. Western Pulaski Water District is made a party to this proceeding.
3. Anyone who wishes to nominate a person to fill one of the two vacancies shall submit such nomination to the Commission in writing within 20 days of the date of this Order.

4. Nominated persons shall file with the Commission an original and ten copies of the information listed in Appendix B. He or she shall also serve a copy on the Pulaski County Judge/Executive, the Pulaski County Judge/Executive elect, and Western Pulaski District. The failure to file the requested information within 20 days of nomination shall be considered as notice of no interest in being considered for appointment to Western Pulaski District's Board of Commissioners.

5. The Commission shall serve a copy of this Order upon the Pulaski County Judge/Executive and the Pulaski County Judge/Executive elect.

By the Commission



ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2014-00406 DATED **DEC 22 2014**

Western Pulaski County Water District
2128 W. Hwy 80
Somerset, KY 42503
606-679-1569
Fax 606-677-9449

"This institution as an equal opportunity provider and employer"

RECEIVED

NOV 17 2014

PUBLIC SERVICE
COMMISSION

November 12, 2014

PSC
P.O. Box 615
Frankfort, KY 40602
ATTN: Jeff Derowen

Dear Sir:

It has come to my attention that the terms have expired for (two) 2 board members of the district. I do understand that considering the time that has lapsed, the Public Service Commission will need to have a public hearing for the appointment of any new board members. On behalf of Western Pulaski County Water District, I am asking the consideration of the current members, Chairman Don Calder and Commissioner Teddy Roberts be re-appointed to the board of directors. Mr. Calder and Mr. Roberts have each served several terms with the district and have been a great asset to the district. Both Mr. Calder and Mr. Roberts are concerned for the best interest of the district and the district customers. I am asking that you please inform the district on the decision of the PSC. I appreciate your help in this matter.

Thank You,



Don Calder, Chairman

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2014-00406 DATED **DEC 22 2014**

1. Provide your resume or curriculum vitae.
2. State your current street address and your current mailing address (if different from your street address).
3. State whether you have ever been convicted of violating any law (other than minor traffic offenses). If yes, list the conviction, the date of the conviction, the sentence, and the court that entered the sentence.
4. State whether you reside in Western Pulaski District's territory.
5. State whether you have fought a duel with deadly weapons or sent or accepted a challenge to fight a duel with deadly weapons, acted as second in carrying a challenge, or aided or assisted any person doing so.
6. State whether you are a customer of Western Pulaski District.
7. Describe your educational background.
8. Describe your experience in operating or managing a water utility.
9. Describe your experience in managing or operating organizations similar to a water utility.
10. List all positions that you currently hold with any local, state, or federal governmental entity.
11. a. List all non-governmental organizations and non-profit corporations for which you serve as an officer.

b. For each organization and corporation listed, state whether the organization or corporation transacts business with Western Pulaski District.

12. List all contracts that you have ever entered into with Western Pulaski District to provide goods or services. Provide a copy of each contract.

13. List all business transactions that you have had with Western Pulaski District in a personal or non-official capacity.

14. List all family members that Western Pulaski District currently employs and the position that each family member holds. State the date on which each family member began his or her employment with Western Pulaski District.

15. List all family members that Western Pulaski District has previously employed and the position that each family member held. State the dates on which each family member began and ended his or her employment with Western Pulaski District.

16. List all business transactions that family members have had with Western Pulaski District in a personal or non-official capacity.

17. List all courses of water district management training that you have attended since January 1, 2009.

18. Provide in a separately sealed envelope **marked confidential** your name and date of birth.

Don Calder
Chairman
Western Pulaski County Water District
1059 West Highway 80
Somerset, KY 42503