

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CAROLD CRAYCRAFT)	
)	
COMPLAINANT)	
V.)	CASE NO.
)	2015-00038
BLACK MOUNTAIN UTILITY DISTRICT)	
)	
DEFENDANT)	
)	

ORDER

On January 29, 2015, Carold Craycraft ("Complainant"), proceeding *pro se*, filed a complaint against Black Mountain Utility District ("Black Mountain") requesting the extension of water service to his property at 499 Woodard Branch Road in Harlan County, Kentucky. Complainant stated that \$325,000 was available for an extension project. On February 2, 2015, Black Mountain was directed by Order to satisfy or answer the Complaint; additionally, Black Mountain was ordered to provide responses to requests for information contained in the Commission's February 2, 2015 Order.

On February 26, 2015, Black Mountain filed its Answer, its responses to the Public Service Commission's ("Commission" or "PSC") requests for information, and a motion to dismiss the complaint ("Motion to Dismiss"). Black Mountain stated that 499 Woodward Branch Road was a property within the scope of the Woodard Branch Waterline Extension project, identified in the Kentucky Water Resource Information

System (“WRIS”) as Project Number WX21095005, until October 24, 2014.¹ Black Mountain stated that the Kentucky Infrastructure Authority (“KIA”) had halted the processing of the grant for the project.² In support of this statement, Black Mountain provided a photocopy of an October 29, 2014 letter from the KIA to Kentucky State Representative Rick G. Nelson which states that the KIA was halting the processing of the grant for WRIS Project Number WX21095005 until such time as a determination could be made regarding the legislative intent for the grant.³

On March 27, 2015, the Commission determined that the record in this proceeding was not adequate and entered an Order that denied Black Mountain’s motion to dismiss and that established a procedural schedule in order for the Commission to investigate Complainant’s claims and afford the parties the opportunity to conduct discovery.⁴ The March 27, 2015 Order contained Commission Staff’s First Request for Information to Black Mountain Utility District (“Staff’s First Request”).⁵ The Order also requires that “[a] party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.”⁶

¹ Black Mountain Utility District’s Answer to Complaint/Requests for Information and Motion to Dismiss, page 2.

² *Id.*

³ *Id.* at Exhibit B.

⁴ Order (Mar. 27, 2015) at 3.

⁵ Order (Mar. 27, 2015), Appendix B.

⁶ Order (Mar. 27, 2015) at 4.

By a filing received on April 10, 2015, Black Mountain responded to Staff's First Request. Although the March 27, 2015 Order provided the parties the opportunity to conduct discovery, neither party served requests for information on the other party.

On April 27, 2015, Commission Staff scheduled an informal conference to be held on May 8, 2015, for the purpose of discussing the status of and the issues in the case. An informal conference was held at the Commission's offices on May 8, 2015, with Complainant in attendance and representatives of Black Mountain participating by telephone.⁷ During the informal conference, Black Mountain indicated that it would be willing to discuss Complainant's request and identify what would be required to extend service to Complainant.⁸ Black Mountain indicated that it would provide information regarding service to the Woodard Branch Road area under various scenarios based upon the number of connections that would be made in order to provide service to other individuals who might request service.⁹ Black Mountain indicated that it would provide Commission Staff with an update regarding the discussions.¹⁰

On May 26, 2015, Complainant sent an electronic mail message to Commission Staff without copying Counsel for Black Mountain.¹¹ In a May 27, 2015 reply to Complainant that was copied to Black Mountain, Commission Staff noted that Complainant must include counsel for Black Mountain on any messages sent to the

⁷ Intra-Agency Memorandum filed May 27, 2015.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ Notice of document being filed in the record, May 27, 2015.

Commission or any pleadings filed into the record in this case.¹² The messages were filed into the record on May 27, 2015.¹³

On May 29, 2015, Black Mountain sent Commission Staff an electronic mail message. Black Mountain copied Complainant on the message. The message from Black Mountain is attached in Appendix A to this Order. On May 29, 2015, Complainant sent Commission Staff a message with five attachments. Complainant copied Black Mountain on the message. The message from Complainant and its five attachments are attached in Appendix B to this Order.

On June 1, 2015, the Commission received a package of documents from Complainant. The envelope bears Complainant's name and return address, and a U.S. Postal Service cancellation date of May 31, 2015. The package includes, among other things, several letters purportedly written by or on behalf of individuals other than Complainant. Some of the documents contain the address, phone number or electronic mail address of individuals who are not a party and have not requested to be a party to the proceeding. Two of the letters are from individuals who state that Complainant is serving as their representative. The package of documents does not contain a transmittal letter or other document signed by Complainant, and the package does not identify the case number and style for this proceeding.¹⁴ The package does not contain any evidence that the material was served upon Black Mountain. The package is attached as Appendix C to this Order.

¹² *Id.*

¹³ *Id.*

¹⁴ The June 1, 2015 package of material contained a letter signed by Complainant; however, it the same letter submitted as part of the Complaint received on January 29, 2015.

807 KAR 5:001, Section 4(2), states:

Case numbers and styles. Each case shall receive a number and a style descriptive of the subject matter. The number and style shall be placed on each subsequent paper filed in the case.

807 KAR 5:001, Section 4(3), states:

Signing of papers.

- (a) A paper shall be signed by the submitting party or attorney and shall include the name, address, telephone number, facsimile number, and electronic mail address, if any, of the attorney of record or submitting party.
- (b) A paper shall be verified or under oath if required by statute, administrative regulation, or order of the commission.

807 KAR 5:001, Section 4(4), states:

A person shall not file a paper on behalf of another person, or otherwise represent another person, unless the person is an attorney licensed to practice law in Kentucky or an attorney who has complied with SCR 3.030(2). An attorney who is not licensed to practice law in Kentucky shall present evidence of his or her compliance with [Kentucky Supreme Court Rule] SCR 3.030(2) if appearing before the commission.

807 KAR 5:001, Section 4(8), states:

Service.

- (a) Unless the commission orders service upon a party and the party's attorney, service shall be made upon the party's attorney if the party is represented by an attorney.
- (b) Service upon an attorney or upon a party by the commission shall be made by sending a copy by electronic mail to the electronic mail address listed on papers that the attorney or party has submitted in the case. A paper that is served via electronic mail shall comply with Section 8(4) of this administrative regulation and shall include the sending of an electronic mail

message that contains an electronic version of the commission order or a hyperlink that enables the recipient to access, view, and download an electronic copy of the commission order from the commission's Web site.

- (c) If good cause exists, and upon the filing of a motion by a party to excuse a party from receiving service by electronic mail from the commission, the commission shall order service of papers on the party to be made in accordance with paragraph (d)1. or 2. of this subsection.
- (d) Service upon an attorney or upon a party by the parties in a case shall be made by:
 - 1. Delivering a copy to the attorney or party;
 - 2. Mailing a copy by United States mail or other recognized mail carrier to the attorney or party at the last known address; or
 - 3. Sending a copy by electronic mail to the electronic mail address listed on papers that the attorney or party has submitted in the case. A paper that is served via electronic mail shall comply with Section 8(4) of this administrative regulation.
- (e) Service shall be complete upon mailing or electronic transmission. If a serving party learns that the mailing or electronic transmission did not reach the person to be served, the serving party shall take reasonable steps to immediately re-serve the party to be served, unless service is refused, in which case the serving party shall not be required to take additional action.

807 KAR 5:001, Section 4(9), states:

Filing.

- (a) Unless electronic filing procedures established in Section 8 of this administrative regulation are used, a paper shall not be deemed filed with the commission until the paper:
 - 1. Is physically received by the executive director at the commission's offices during the commission's official business hours; and

2. Meets all applicable requirements of KRS Chapter 278 and KAR Title 807.

807 KAR 5:001, Section 4(10), states:

Privacy protection for filings.

- (a) If a person files a paper containing personal information, the person shall encrypt or redact the paper so that personal information cannot be read. Personal information shall include a business name; an individual's first name or first initial and last name; personal mark; or unique biometric or genetic print or image, in combination with one (1) or more of the following data elements:
 1. The digits of a Social Security number or taxpayer identification number;
 2. The month and date of an individual's birth;
 3. The digits of an account number, credit card number, or debit card number that, in combination with any required security code, access code, or password, would permit access to an account;
 4. A driver's license number, state identification card number, or other individual identification number issued by any agency;
 5. A passport number or other identification number issued by the United States government;
 6. "Individually identifiable health information" as defined by 45 C.F.R. 160.103, except for education records covered by the Family Educational Rights and Privacy Act, as amended, 20 U.S.C. 1232g; or
 7. The address, phone number, or email address of an individual who is not a party and has not requested to be a party.
- (b) To redact the paper, the filing party shall replace the identifiers with neutral placeholders or cover the identifiers with an indelible mark that so obscures the identifiers that the identifiers cannot be read.

- (c) The responsibility to review for compliance with this section and redact a paper shall rest with the party that files the paper.

807 KAR 5:001, Section 7(1), states:

Unless the commission orders otherwise or the electronic filing procedures established in Section 8 of this administrative regulation are used, if a paper is filed with the commission, an original unbound and ten (10) additional copies in paper medium shall be filed.

Complainant is not an attorney, and he is proceeding *pro se*. While non-attorneys who represent themselves in judicial proceedings are sometimes held to less stringent standards than attorneys in drafting formal pleadings, "Kentucky courts still require *pro se* litigants to follow the Kentucky Rules of Civil Procedure."¹⁵ Although the Kentucky Rules of Civil Procedure have not been adopted by the Commission, judicial decisions requiring *pro se* litigants to follow rules of procedure provide persuasive guidance in considering Complainant's actions in this proceeding.

The Commission must base its decision upon the evidence in the record. If a party wishes to place evidence into the record, then it must submit the evidence in a manner authorized by and consistent with the administrative regulations and Orders of the Commission. Complainant is, therefore, required to follow the Commission's rules of procedure set forth in Title 807 of the Kentucky Administrative Regulations and the Orders of the Commission if he wants the information to be part of the record upon which a decision is based. The information received by the Commission from Complainant on May 29, 2015, and June 1, 2015, does not comply with the Commission's rules of procedure and Order of March 27, 2015. While the information

¹⁵ *Watkins v. Fannin*, 278 S.W.3d 637, 643 (Ky. App. 2009).

received from Complainant on May 29, 2015, and June 1, 2015, is made a part of the record of this proceeding through this Order, Complainant is on notice that he is required to follow the Commission's administrative regulations and Orders for any future filings.

Having reviewed the record and being otherwise sufficiently advised, the Commission finds that:

1. The May 29, 2015 electronic mail message from Black Mountain to Commission Staff, which is attached in Appendix A to this Order, should be made part of the record in this proceeding.

2. The May 29, 2015 electronic mail message and the five attachments to the message from Complainant to Commission Staff, which are attached in Appendix B to this Order, were not properly filed into the record in this proceeding because Complainant failed to comply with 807 KAR 5:001, Section 4(2); 807 KAR 5:001, Section 4(3); and 807 KAR 5:001, Section 4(9).

3. The May 29, 2015 electronic mail message and the five attachments to the message from Complainant to Commission Staff should be made part of the record in this proceeding.

4. The material received from Complainant on June 1, 2015, which is attached in Appendix C to this Order, was not properly filed into the record in this proceeding because Complainant failed to comply with 807 KAR 5:001, Section 4(2); 807 KAR 5:001, Section 4(3); 807 KAR 5:001, Section 4(9); and 807 KAR 5:001, Section 4(10); and the Commission's March 27, 2015 Order.

5. The material received from Complainant on June 1, 2015, was not properly served upon Black Mountain as required by 807 KAR 5:001, Section 4(8).

6. The material received from Complainant on June 1, 2015, should be made part of the record in this proceeding.

7. The material received from Complainant on June 1, 2015, includes personal information of individuals who are not a party to this proceeding and who have not requested intervention into this proceeding, and, pursuant to 807 KAR 5:001, Section 10(4), the personal information should be redacted.

8. Complainant has not demonstrated that he is an attorney licensed to practice law in Kentucky or an attorney who has complied with Kentucky Supreme Court Rule 3.030(2).

9. Complainant should not represent any other person's interest in this proceeding or before the Public Service Commission.

10. During the informal conference held on May 8, 2015, Black Mountain indicated that it would provide Commission Staff with an update regarding its discussions with Complainant.

11. Black Mountain has not provided Commission Staff with an update regarding its discussions with Complainant and should be required to file an update.

12. Black Mountain's update should be made part of the record in this case through a formal filing.

13. Black Mountain should be permitted to file a written response to the material received from Complainant on June 1, 2015.

14. Black Mountain should provide responses to the requests for information contained in Appendix D to this Order.

IT IS THEREFORE ORDER that:

1. The May 29, 2015 electronic mail message from Black Mountain to Commission Staff, which is attached in Appendix A to this Order, is made part of the record in this proceeding.

2. The May 29, 2015 electronic mail message from Black Mountain to Commission Staff, which is attached in Appendix B to this Order, is made part of the record in this proceeding.

3. The material received from Complainant on June 1, 2015, which is attached in Appendix C to this Order, is made part of the record in this case.

4. The personal information of individuals who are not a party to this proceeding and who have not requested intervention into this proceeding shall be redacted pursuant to 807 KAR 5:001, Section 10(4).

5. From the date of this Order, Complainant shall comply with the Commission's rules of procedure set forth in Title 807 of the Kentucky Administrative Regulations and the procedures established by the Orders of the Commission in this proceeding.

6. Within 14 days of this Order, Black Mountain shall file a written report regarding its discussions with Complainant since May 8, 2015.


7. Black Mountain may include in the written report due within 14 days of this Order a response to the material received from the Complainant on June 1, 2015.

8. Within 14 days of this Order, Black Mountain shall provide responses to the requests for information contained in Appendix D to this Order.

By the Commission

ENTERED
JUL 02 2015
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2015-00038 DATED **JUL 02 2015**

Spenard, David E (PSC)

From: Scott Lisenbee <lisenbee@harlanonline.net>
Sent: Friday, May 29, 2015 3:38 PM
To: Spenard, David E (PSC); cscraycraft@centurytel.net
Subject: RE: KY PSC Case No. 2015-00038

Mr. Spenard and Mr. Craycraft:

Mr. Spenard, thank you for copying me on this message.

Since the informal conference on May 8, 2015, I have had exactly one message from Mr. Craycraft, that being on May 22 at 1:25 p.m. I had not returned that call, as I was awaiting the memorandum. I apologize that I have not called you back, Mr. Craycraft, but I do not appreciate you misstating facts to Mr. Spenard. Nevertheless, I am reviewing the cost estimates so that I can advise you, Mr. Craycraft, as to what the cost would be to run the line to your property. At that time, I will be filing an update, as Mr. Spenard has stated in his email.

Thank you,

Scott Lisenbee

From: Spenard, David E (PSC) [<mailto:DavidE.Spenard@ky.gov>]
Sent: Wednesday, May 27, 2015 8:48 AM
To: 'cscraycraft@centurytel.net'
Cc: 'Scott Lisenbee'
Subject: KY PSC Case No. 2015-00038

Mr. Craycraft,

Good morning.

I am copying Mr. Lisenbee on this message. Mr. Lisenbee represents Black Mountain Utility District, and you must include Mr. Lisenbee on any messages that you send to the Commission or any pleadings that you file into the record in this case.

A memorandum for the May 8, 2015, Informal Conference will be entered into the record today (May 27, 2015). It is the understanding of Commission Staff that Black Mountain Utility District stated that it is willing to discuss this matter with you. It is the understanding of Commission Staff that Black Mountain Utility District will file an update regarding its discussions with you. Commission Staff encourages you to continue in your attempts to contact Mr. Lisenbee, and, likewise, encourages Black Mountain Utility District to engage in discussions.

While Commission Staff encourages the parties to continue discussing this matter, Commission Staff cannot advise you as to action that you should take.

Regards,

David Edward Spenard
Staff Attorney III
Kentucky Public Service Commission

From: cscraycraft@centurytel.net [mailto:cscraycraft@centurytel.net]

Sent: Tuesday, May 26, 2015 10:17 PM

To: Spenard, David E (PSC)

Subject: Black Mountain Water Dist.

Dear Mr. Spenard:

I have tried several times to get in touch with Mr. Lisenbee to take over a copy of all the other peoples complaints in regard to wanting water. I have left several messages since he is either in court or out of the office and never returns my calls. I also attended the water meeting again this month and they will still not discuss the water issue with me and always tell me they can't talk to me about it until complaint is resolved. Not sure what I need to do next to address and try to resolve the issue if no one is willing to try.

Sincerely,

Carold Craycraft

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2015-00038 DATED **JUL 02 2015**

Spenard, David E (PSC)

From: cscraycraft@centurytel.net
Sent: Friday, May 29, 2015 9:47 PM
To: Spenard, David E (PSC); Scott Lisenbee
Subject: part 2 of Message & Complaints,
Attachments: Image (11).jpg; Image (12).jpg; Image (13).jpg; Image (14).jpg; Image (15).jpg

Mr. Spenard

Your 1st e-mail came back undeliverable stating you need to delete some e-mails

Thank You,

Carold Craycraft

Mr. Lisenbee and Mr. Spenard

Mr. Lisenbee:

I don't appreciate you saying I was misstating fact when I did call twice last week and once this week on May 26, 2015 being the last time. Therefore, that was three different times I tried to get in touch with you, sorry if you didn't get the messages. This is not about me and you it is about providing water to people who desperately needs it. I am forwarding the majority of the complaints that I have received from the people who signed the petition for water. Therefore I am not the only citizen who wants water. I am also sending both of you some more information by mail that I have in regards to the project. I will forward another e-mail with the rest of the complaints.

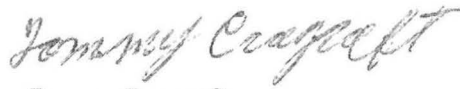
Thank You,

Carold Craycraft

5/18/2015

My name is Tommy Craycraft and I would like to see the Woodard Branch Project completed by providing running water to several customers. I have lived there for over 4 years and have had to haul my water from wherever I can get it! I have attended some meetings and the board on the Black Mountain Water district will not listen to everyone who attends and we have to pick one spokesperson who is Carol Craycraft. It is my understanding that the money is there for this project and feel that since this is 2015 everyone should have running water!! This should not be an issue when funds are available, but there are several people who would like to see this money used for thing that it wasn't allocated for!!!! We all need to have a meeting and get to the bottom of this for all involved.

Sincerely,

A handwritten signature in cursive script that reads "Tommy Craycraft".

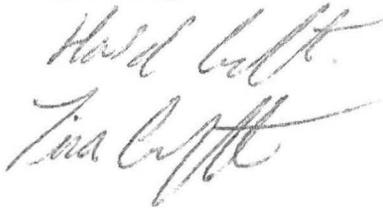
Tommy Craycraft

5/18/2015

Our State Representative Tim Couch back in 2006 helped us obtain a grant that would fund water to the Woodard Branch project. I have property with a barn and house site on it, but no water. I feel that the water should have been already supplied since the money is just sitting there and was to be used for the Woodard Branch Project. I have attended several meeting with Black Mountain Water district and still cannot get no stratification always beating around the bush and never give you a straight answer. Last year we were promised water and now they are saying no water! I would like to see this matter resolved as quickly as possible. I have spoken with judge Grishop, Leo Miller, and Bob Lee and still nothing. I feel that we need to have a meeting with all parties involved to see if we can come up with a solution.

Thank You,

Harold Craycraft

The image shows two handwritten signatures in cursive. The top signature is "Harold Craycraft" and the bottom signature is "Tina Craycraft". Both are written in dark ink on a white background.

We presently live in Fickman Kentucky. We have property here and would love to come back. We had to leave Harlan County for work purposes.

We could have a house or at least a cabin to come back to but there is no water there.

We know the money has been allocated for this project. What we don't understand is why hasn't this project been done?

The money is there. What is the hold up? Eight years is a long time to wait. Things are not getting any cheaper.

Jennifer & Marshall Blanton

My complaint is plain & simple. Eight years ago I went to State Representative Jim Couch and got this money for the Woodard Branch Project. Why do we have to wait any longer? Eight years is way to long to have to wait. Is the money still there?

Lots of excuses have been made to keep from doing this project. Why? If the money is still there, then why not give us water?

I was told at a meeting at the Green Hills Water District that this money could not be used to save the Green Hills Water District.

This was told to me by Judge Executive Joe Gishop. Now that Black Mountain Utilities District has took over Green Hills Water District, they want the money.

We are so tired of hauling water to our cattle. We would also like to put a house on our property but we don't want to have to haul water for

it.
William Lloyd Turner Doris Ann Turner

In the summer of 2006 our State Representative Tim Couch help to get money for Green Hills Water District for the Woodard Branch Project at the sum of \$250,000.00. Since then there has been more added to this amount being \$325,000.00 as of now.

At the time of this, Judge Joe Grishop said we would get water. But still no water. State Representative Tim Couch was still on board with us and helped to acquire money so it could not be used for anything else. We still have no water. Properties have been mined under all of us. Wells have been drilled. Still no water.

Green Hills Water District was so far in debt. We were told money could not be used to bail them out of debt. We were told that the money had to be used for the Woodard Branch Project only. Black Mountain Utilities District took over Green Hills Water District.

At a board meeting in March 2014, Bob Lee and Leo Miller told us all that we would get water. "Wheels turn slow but they do turn." Someone attends every board meeting that they have. In December 2014 Bob Lee made the commit that we would not get water.

I, Carold Craycraft, called State Representative Rick Nelson in November 2013 the first time. He said it was politics. He also said that if the water had been put in when this was first started that we would have enough money for the water project. In December 2014 I talked to State Representative Rick Nelson a second time and he said we would probably never get water.

I attended the board meeting in January 2015. Bob Lee told me that if we don't give this a brake that him and State Representative Rick Nelson would put the money in Evarts, Kentucky for water projects there. I asked if they could do that. He answered yes they can do almost anything they wanted to do. I told him that was wrong. That is the way we feel.

I also have a text message from Leo Miller on September 12, 2014 that water was on its way that he had talked to State Representative Rick Nelson. We still have no water.

Joe Grisop told me a long time ago that we would never get water. So far we haven't. Guess he was right.

All we are asking is that we get the water in 2015. Everyone needs water as well as electricity. Its not much to ask for since the money, or most of it, is already there.

Thank you very much.

Carold Craycraft



APPENDIX C

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2015-00038 DATED **JUL 02 2015**

Carol Craycraft
5199 Woodard Branch Rd.
Sledsco Ky 40810



Knowlton P.O. Box 379
SUN 01 MAY 2015 AM



Kentucky Public Service Commission
211 Sower Blvd.
Frankfort Ky. 40601
Att David Spendarman

RECEIVED

JUN 01 2015

PUBLIC SERVICE
COMMISSION

Barbara Burkhart
[REDACTED]
[REDACTED]
[REDACTED]

Public Service Commission
Frankfort, KY

RE: Water Installation for the Daws Branch (Dingo area) at Bledsoe, KY.

To Whom It May Concern:

I am a land owner on the above mentioned location and I have been trying to get water to my property for the past 10 or 12 years without success.

I currently live in an area where the creek/river has washed away the property surrounding my home with every rain. This said I would like to be able to move to my property on Daws Branch Road, but without water this is impossible for me due to no water access.

I have researched this issue of running water to areas that currently do not have any water sources and found that the "Law that was past many years ago states that ALL persons shall have clean and drinkable water". I do not understand what the problem is with getting water to these locations on Daws Branch Road. This would increase the number of homes in this area by current land owners that cannot build on their property due to the fact that there is no available water. Also, if a land owner wanted to start a business they would not be able to do so due to lack of water availability.

I have attempted to make these meetings, but when I have called about the date of the meeting I have been told that it has been canceled or that I would not be able to speak due to lack of time or that I have not been placed previously on the agenda. This I do not understand. Why can they not have the meetings later in the evening due to people that work "cannot" make it at 4pm.

I am requesting that the Public Service Commission should meet with the Land Owners personally to discuss this issue. Also, due to the small meeting area for Black Mountain Water District to hold the monthly meeting I would like to suggest that they and the Public Service Commission meet at Bledsoe to discuss these "very" important issues.

I would appreciate an answer to my request from your office by mail.

Respectfully,
Barbara Burkhart, Land Owner

In the summer of 2006 our State Representative Tim Couch help to get money for Green Hills Water District for the Woodard Branch Project at the sum of \$250,000.00. Since then there has been more added to this amount being \$325,000.00 as of now.

JUN 01 2015
PUBLIC SERVICE
COMMISSION

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I, Carold Craycraft, called State Representative Rick Nelson in November 2013 the first time. He said it was politics. He also said that if the water had been put in when this was first started that we would have enough money for the water project. In December 2014 I talked to State Representative Rick Nelson a second time and he said we would probably never get water.

I attended the board meeting in January 2015. Bob Lee told me that if we don't give this a brake that him and State Representative Rick Nelson would put the money in Evarts, Kentucky for water projects there. I asked if they could do that. He answered yes they can do almost anything they wanted to do. I told him that was wrong. That is the way we feel.

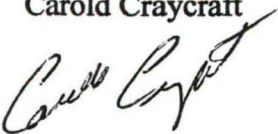
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Thank you very much.

Carold Craycraft



RECEIVED

JUN 01 2015

PUBLIC SERVICE
COMMISSION

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We are so tired of hauling water to our cattle. We would also like to put a house on our property but we don't want to have to haul water for it.
Doris Ann Turner
William Lloyd Turner

RECEIVED

JUN 01 2015

PUBLIC SERVICE
COMMISSION

Terry Burkhart

Public Service Commission
Frankfort, KY

RE: Water installation for the Daws Branch (Dingo area) at Bledsoe, KY.

To Whom It May Concern:

I am a land owner on the above mentioned location and I have been trying to get water to my property for the past 8 years without success.

I have researched this issue of running water to areas that currently do not have any water sources and found that the "Law that was past many years ago states that ALL persons shall have clean and drinkable water". I do not understand what the problem is with getting water to these locations on Daws Branch Road. This would increase the number of homes in this area by current land owners that cannot build on their property due to the fact that there is no available water. Also, if a land owner wanted to start a business they would not be able to do so due to lack of water availability.

I have attempted to make these meetings but due to the fact that I work 12 hours a day 6 days a week I cannot do so. Why can they not have the meetings later in the evening due to people that work and cannot make it at 4pm.

I currently own over 70 acres of land in which I am unable to improve or start a business due to the lack of available water. This is causing me to loose potential money to enable me to provide for my family and a service to my community, as well as offering employment to the local people of this area.

I am requesting that the Public Service Commission should meet with the Land Owners personally to discuss this issue. Also, due to the small meeting area for Black Mountain Water District to hold the monthly meeting I would like to suggest that they and the Public Service Commission meet at Bledsoe to discuss these "very" important issues.

I would appreciate an answer to my request from your office by mail.

Respectfully,
Terry Burkhart, Land Owner

RECEIVED

5/18/2015

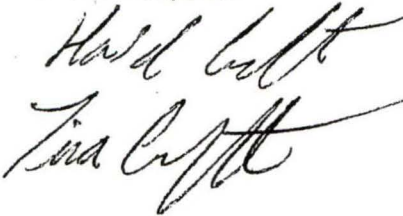
JUN 01 2015

PUBLIC SERVICE
COMMISSION

Our State Representative Tim Couch back in 2006 helped us obtain a grant that would fund water to the Woodard Branch project. I have property with a barn and house site on it, but no water. I feel that the water should have been already supplied since the money is just sitting there and was to be used for the Woodard Branch Project. I have attended several meeting with Black Mountain Water district and still cannot get no stratification always beating around the bush and never give you a straight answer. Last year we were promised water and now they are saying no water! I would like to see this matter resolved as quickly as possible. I have spoken with judge Grishop, Leo Miller, and Bob Lee and still nothing. I feel that we need to have a meeting with all parties involved to see if we can come up with a solution.

Thank You,

Harold Craycraft

The block contains two handwritten signatures in cursive. The first signature is "Harold Craycraft" and the second is "Tina Craycraft".

RECEIVED

JUN 01 2015

PUBLIC SERVICE
COMMISSION

We presently live in Richmond, Kentucky. We have property here and would love to come back. We had to leave Harlan County for work purposes.

We could have a house or at least a cabin to come back to but there is no water there.

We know the money has been allocated for this project. What we don't understand is why hasn't this project been done?

The money is there. What is the hold up? Eight years is a long time to wait. Things are not getting any cheaper.

Jennifer & Marshall Blanton

RECEIVED

JUN 01 2015

PUBLIC SERVICE
COMMISSION

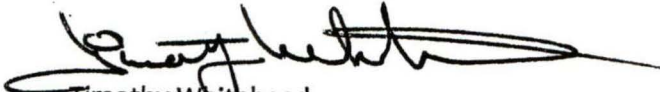
My family and I have lived in two different locations in Woodard Branch since 1989. In our first home our water source came from a 338 foot deep water well that contained a large amount of iron. We contacted Williamsburg Water Treatment Company to install a filtering system which needed to be maintained monthly.

After we moved to our present home in the year 2000 our water source now comes from a large open abandoned strip mine pond. We installed a pump in the pond and a chlorinator and sand sediment filtering system to clean the water. This filtering system must be maintained monthly also.

We allowed the Green Hills Water District to pump and hauled water from our pond to their plant at Bledsoe, Kentucky in the summer for a number of years due to the fact their water source would dry up. Our neighbors and I have asked for water from Green Hills Water District and they said they didn't have the funds to supply Woodard Branch with water. But claimed they would get us water.

We asked our State Representative Tim Couch for help and he got \$250,000.00 in 2006 but the water district said they needed more money so Mr. Couch got an additional \$125,000.00 to more forward with providing the residents of Woodard Branch water. We have been told since 2007 that they would run their line to get us water but as of yet nothing has been done. Every home deserves to have clean running water and that is all we are asking for is the water promised to us, especially since the money is already there.

Thank you



Timothy Whitehead

RECEIVED

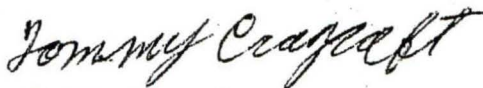
JUN 01 2015

PUBLIC SERVICE
COMMISSION

5/18/2015

My name is Tommy Craycraft and I would like to see the Woodard Branch Project completed by providing running water to several customers. I have lived there for over 4 years and have had to haul my water from wherever I can get it! I have attended some meetings and the board on the Black Mountain Water district will not listen to everyone who attends and we have to pick one spokesperson who is Carol Craycraft. It is my understanding that the money is there for this project and feel that since this is 2015 everyone should have running water!! This should not be an issue when funds are available, but there are several people who would like to see this money used for things that it wasn't allocated for!!!! We all need to have a meeting and get to the bottom of this for all involved.

Sincerely,



Tommy Craycraft

5-28-15 RECEIVED

JUN 01 2015

PUBLIC SERVICE
COMMISSION

To Whom it May Concern

I Angela Holbrook have a really hard time trying to live without water its very difficult to bath, wash clothes, do dishes having to run here + there to get water to drink + cook with I work 60 hours a week and its hard trying to keep water for everything in the house. I have Arthritis + bone spurs in my neck and its very difficult carrying water all the time

I would really appreciate you helping me and the rest of the families receive water

Thank You
Angela Holbrook



20 MAY 2015

RECEIVED

JUN 01 2015

PUBLIC SERVICE
COMMISSION

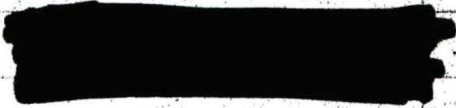
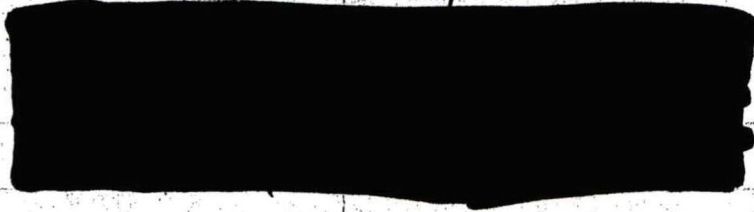
To whom it may concern,

I live at [REDACTED]
[REDACTED]. I have lived here over
20 yrs now. I need and would
like water. I have to pack
it everyday to bathe, cook, clean
and water animals. It's hard
to do considering the amount
of gas it takes and the price
of it these days. Would rather
put into water system that
could give me Clean Drinking
Water. Can you Please help
us on Dingo?

Carold Craycraft is our
Responsible on our Water
Project. There are about 20+
of us on this need of water

Thank you for your
Time.

James Bailey



James Bailey

5-28-15

My name is LaMecia Morgan. My family and I live at the top of Daws Branch Road. I have two sons that are four and six years old. I use to have a well and that was our source for water up until 2010 when it sank. From 2010 until now we've had to pack water. I have to drive to my Dad's house which is four miles one way to wash clothes and bath my boys for school. I feel that my family and the other families who live at the top of Daws Branch and Woodard Branch deserve to have county water too. People do not know, water is a luxury to have. I have to load up almost thirty jugs, drive to my dad's house, fill them up with his water hose, load them back up, drive back to my house, and unload them and pack them back into the house. I have to pour

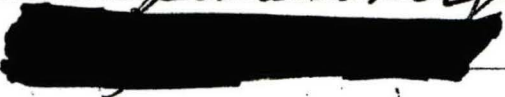
RECEIVED

JUN 01 2015

PUBLIC SERVICE
COMMISSION

water in the back of our
toilets in order to flush
them. I have to use bottled
water to brush mine and
my boy's teeth. I have to
boil water in order to cook
and I have to heat Kettles
of water on the stove in
order to have hot water to
wash dishes in. Talk about
a hassle. We would all be very
greatful to be given the chance
to have water.

Thank you & God Bless
Lamecia Morgan



20 May 2015

RECEIVED

JUN 01 2015

PUBLIC SERVICE
COMMISSION

To Whom it may Concern:

I am a resident at [REDACTED]
[REDACTED]. I live with no drinking
water for me or my animals. I
live here 8 yrs. I am desperately
trying to get water lines ran to
me and the other ppl that live
here. I have no idea why and
water is not here expect someone
does not want to take the time
to run lines. I amount of water
all of us use would more than
profit the water company.
Funding is ~~there~~ there so why do
I not have it.

Could Craycraft is our
representative on this water project.
You can only speak to one
person at a time. We all have

the same complaint. We NEED
GOOD DRINKING WATER. We ARE
under the Constitution, guaranteed
GOOD DRINKING WATER... So why I
CAN NOT AND the other PPC
here get it? What is wrong
IS no one wants to help us...

If you have any Questions
Please don't hesitate to
Contact me.

MRS. Candace Bailey

[REDACTED]

[REDACTED]

RECEIVED

JUN 01 2015

PUBLIC SERVICE
COMMISSION

Regular Board Meeting

September 10, 2013

Present: Bob Lee, Steve Sergent, Ralph Turner, Ronnie Cook, Charles Guyn, Angela Noe and Ray Metcalfe.

The meeting was called to order by Chairman Bob Lee at 4:03 p.m. Bob made a motion to except the minutes as read. Ralph Turner seconded the motion. All in favor.

Raymond Cox made a motion to pay the monthly bills. Ralph Turner seconded the motion. All in favor.

Leo Miller and Mike Jones presented the two sheets of preliminary plan views of the Woodard Branch Waterline extension which was re-authorized and reallocated by the last legislature in the amount of \$325,000.00. These plans included a line "A" option and a line "B" option and a line "C" option as per the letter from Leo Miller and associates. It also addressed the Division of Water Regulations requiring that water in storage must be turned over every 72 hrs. Bob brought up that this line would serve approximately two customers at this time. One customer is Tim Whitehead and the other is Carroll Craycraft. Bob said that if we ran the line along the county road to where it ends we would meet our obligation for the line extension. Ronnie Cook said Floyd Turner owned property past the point where the county road ended and was very vocal about getting the water up to his property. Ralph Turner stated that several people own property in Woodard Branch and are pushing for the water to be ran. Bob brought up the amount of water that would be in the line and the amount of water that customers would use daily and that every 3 days we would have to flush the line to keep the water fresh. Ronnie Cook asked if there was an option besides flushing the lines every three days and Bob Lee said no. Bob said that we had to be careful because we could end up flushing more water on the ground than we were selling to customers. After much discussion by the board members, Bob Lee said we needed Leo to go back and come up with options "D" and "E" and address it at the next Board meeting. The next thing Leo Miller discussed was the pump stations on Pine Mountain. He wanted to know if Ray was receiving emails from the pump stations alerting for problems and he said yes. He said we were also receiving cell phone messages with the alerts. Sergents drive was discussed and Ray said they had been running the pumps at night and this seemed to be helping the problem. Ken Taylor updated the Board on the project at Coldiron. Ray said test samples had been pulled and we were waiting on results before turning anyone's water on. Bob asked about the pressure on Hickory Ridge road and Ray said we had 41 pounds at the top. Bob Lee asked about the Wallins water plant. Bob said that Earl was a licensed plant operator and that if he didn't want to run the water plant then we might have to advertise for an operator and that one or two might lose their jobs if we had to do that. Bob said we had that resource and we needed to be using it. He said weeds had grown up at the water plant and the pump stations. He told Ray that they told him last year if he needed extra help to hire temporary help and he told Ray to buy more lawn mowers and weed eaters if necessary for the temporary help. Bob asked about having the guys fill out log books and he felt like they needed to account for all their time. Bob asked for someone to make a motion for the guys to keep a log book and there mileage. Ronnie Cook made the motion to have the guys keep log books. Ralph Turner seconded the motion. All in favor.

Bob Lee made a motion to adjourn at 4:54 p.m. Ralph Turner seconded the motion. All in favor.

Minutes typed and taken by: A.V./Rm

Minutes approved with correction: _____

Minutes approved as read:

Robert Lee - 10-8-13

Regular Board Meeting
October 8, 2013

Present: Bob Lee, Steve Sergent, Ronnie cook, Ralph Turner, Ken Taylor, Charles Guyn, Marcella Fuson, Angela Noe, and Ray Metcalfe.

The meeting was called to order at 4:06 p.m. by Chairman Bob Lee.

The minutes were read by Ray Metcalfe for the September 10, 2013 board meeting. Ronnie Cook made a motion to accept the minutes as read. Ralph Turner seconded the motion. All in favor.

The Woodard Branch project was discussed. Ronnie Cook discussed with the board about putting a tank on Napier Hill. He said that way with a tank we would not have to waste any water. Leo Miller had an estimated cost of \$285,000. Cook said running pumps are expensive; we need to try to get the tanks. Bob Lee said we can use all that money for that area. We just need to talk to Leo about it. Leo needs to itemize in a report. Ralph Turner said we need to look at this and see what we can do to get water on Woodard Branch; the people there are wanting water. Bob Lee said there has to be some way of running that water through there. Cook said he knows we can't waste water from the tanks; just use a smaller tank to get water to them. Bob Lee told Ronnie and Ralph to get in touch with Leo Miller to set up a meeting and call him to let him know. Ronnie Cook voiced his concerns for the Woodard Branch project because he said he thought new board members were appointed in March or April. Others think it is in December, we will contact the lawyer Sid Douglas to see what month for sure the board members are appointed.

Carroll Craycraft and Harold Craycraft came to the meeting and spoke about wanting water in the Woodard Branch area. They are concerned if the money is not used it will be taken away from them. The board agreed Leo Miller needs to turn something in so we don't lose the money.

Steve Sergent made a motion to pay the monthly bills. Ralph Turner seconded the motion. All in favor.

Ray had told customer Bill Clem he would ask the board if they could do more for him than a leak adjustment, because he was already told that is all that can be done. He said the house burnt and they were working on it. The board agreed a normal leak adjustment is all we can do for him.

They discussed further about Woodard Branch. Mr. Craycraft said they have tried for seven years to get this money to get water to Woodard Branch. He said he is worried the money will get gone before it can be done. He also said they would be eight to ten meters used as soon as they put the water in. He also stated he would like to be on the agenda for next month to get an update on the project.

Ken Taylor gave a project update he said Jesse's Creek and Hickory Ridge is all done, to get the power on at Watts Creek, we have to get an easement for a right of way. We added RTU's to the pump station at Around the World and the Pine Mountain tank. Ken said there is \$20,000 to \$25,000 not obligated anywhere and him and Ray has been talking and will get together to see where that is needed. He said we still need to get a contract from Tommy Mack on the Highway project. Bob Lee said he only has a certain amount of time to put up a bond, the next bid was from Ash Mountain. Ken said if they start to get in a bind that is what they will do, go to the next bidder. He explained it is a Project Specific Bond and it makes you a little concerned about him not having enough cash flow for this. He said it is about 1/2% of the project around \$2,600. He sent the bid in under Victory Plumbing out of Georgia to help with the bond.

Robert Lee
11/12/13

Bob Lee asked about the Harlan bulk water rates. He wants them contacted to come to the next meeting about the increase. He said as much water as we are buying we shouldn't have to pay the same as any other customer we should buy it at a wholesale rate. Charles Guyn said at their last meeting they did have a copy of the rate increase that the PSC approved.

Ronnie Cook said something had been brought up about work orders not being done. He asked if they are being done now and if they were accounting for their time. He asked Ray if they are keeping up with the log books. Ray told him he had been checking the books. Ray also told the board we have temporary help cutting weeds at the pump stations and helping with others things.

Raising the water rates was discussed. Someone mentioned according to the agreed order after five years we can combine all the routes together and be under one water rate. Now we have three different rates. Ken Taylor said he looked at the rate study for Harlan. He said it is 13% but they hadn't had one in ten years. BMUD will have to check all the overall rates before coming up with a certain percentage increase.

Ralph Turner made a motion to adjourn the meeting at 4:49 p.m. Ronnie Cook seconded the motion. All in favor.

Minutes taken and typed by: Marcella Fuson

Minutes accepted with correction: _____

Minutes accepted as read: Robert Lee 11/12/13

Regular Board Meeting
November 12, 2013

Present: Bob Lee, Steve Sergent, Ronnie Cook, Ralph Turner, Angela Noe, Marcella Fuson, Charles Guyn, Ray Metcalfe, and Ken Taylor.

The meeting was called to order by Chairman Bob Lee at 4:04 p.m.

The minutes from the October 8, 2013 were read by Ray Metcalfe. Ralph Turner made a motion to accept the minutes as read. Ronnie Cook seconded the motion. All in favor.

Steve Sergent made a motion to pay the monthly bills. Ralph Turner seconded the motion. All in favor.

Potential customers from the Woodard Branch area were present for the board meeting. Carol Craycraft, Harold Craycraft, Ruby and Lack Bailey, Elihu and Candace Bailey, James Bailey, Jolena and Shawn Brock.

Leo Miller couldn't make the board meeting; he sent ten copies of the proposed project for the Woodard Branch area. The board had discussed if we use the money for the project as it is written can we break even. We can't lose money and that's what will happen. Bob Lee said the problem is that they didn't do the ground work before they allocated the money for this area. He said the division of Water will deny this plan because you can't justify the cost. The chlorine disappears after so long and about every third day you would have to dump the water. The potential customers stated there would be around twenty meters that will be used as soon as they are set, but this is not just from the Woodard Branch area it includes Dingo also.

The money was allocated for the Woodard Branch area not the Dingo area. Harold Craycraft asked Bob Lee if the board could help them get Rick Nelson to rewrite this to include the Dingo area. He also asked was there anyone else they could talk to, that could help them. Ken Taylor told them they need to start with Rick Nelson, but Brandon Smith is the Senator so check with him to see what he can do. Bob Lee said the county does not have any extra money that could be used for this project.

Different options were discussed but all included the Dingo area which is not included in this project. Ronnie Cook will talk with Brandon Smith to see if he can help get this re-written because it is only for the Woodard Branch area and it needs to include the Dingo area. There is more money needed to include this area also. Before June 30, 2014 if the money is not used or re-allocated it will go back to the state and the county will lose it. Something needs to be done in the spring. Leo Miller will need to get estimates on the loop to see what other money will be needed. Ken Taylor also told them that Tim Couch can still work on this; and the profile only needs to be approved by Cumberland Valley Ad, Joe Grieshop is the Chairman. Ronnie Cook said that Rick Nelson would be okay with this if it was written up different but the numbers just don't add up. Bob Lee said you will probably have to double the money to do this project right. The money that is allocated will have to be reworded and they will have to get more money to do this project. If it doesn't happen it needs to be reworded so the money can be used in Green Hills even if it can't be done for Woodard Branch. Mr. Craycraft requested to be put on the agenda next month with the other potential customers. Bob Lee told him to try to bring some information back to the next meeting.

Bob Lee asked Ray if he talked to Otis from Harlan Water Works. Ray said he talked to him and he said somebody needed to come to their board meeting. Bob and Ray will attend their meeting next month to discuss the water rates BMUD is paying them.

Ken Taylor gave an update, he said the telemetry is still working and Sergent Drive pumps are running at night so everything is okay there. He spoke to the board about the rates from Pineville and Harlan. He said BMUD could recoup the increase that Pineville had on the water rates, which would be about \$6,000. The board asked which one was the cheapest, Ken told them at Harlan's cheapest rate they are still about 36 cent higher than Pineville.

Meter bases were discussed for Ruby Baker. The board agreed she will pay the full price for the taps.

Ralph Turner made a motion to adjourn the meeting at 5:16 p.m. Ronnie Cook seconded the motion. All in favor.

Minutes taken and typed by: Marcella Fuson

Minutes approved with correction: _____

Minutes approved as read: Robert Lee 12/10/13

Regular Board Meeting

January 14, 2014

12-10-13

Present: Steve Sargent, Bob Lee, Raymond Cox Ronnie Cook, Ralph Turner, Angela Noe, Charles Guyn, and Ray Metcalfe.

Chairman, Bob Lee, called this meeting to order at 4:02 p.m.

Ray Metcalfe read the minutes from the December 10, 2013 meeting.

Ralph Turner made a motion to accept the minutes as read. Ronnie Cook seconded the motion. All in favor.

Harold and Carold Craycraft, potential customers from Woodard Branch, were present at the meeting. Carold had talked to Rick Nelson and Tim Couch, but not Brandon Smith about the Woodard Brach/Dingo project. Leo Miller was present and had sent them a letter explaining that when Tim Couch originally put it in he reauthorized and reallocated 325,000 dollars for Woodard Branch and that is all he said. It did not have a WX number that Division of Water has to have to get a project by the legislature. He reauthorized 325,000 dollars, but there was not a scope of work. It was written only Woodard Branch waterline extension.

Options were discussed on running a loop from Woodard Branch to Dingo. Mr. Miller gave an estimation of needing 250,000 dollars more totaling 550,000 dollars for the project. That includes pipes, valves, and pumps. Mr. Metcalfe is to try and contact Rick Nelson and talk to him and meet with him, Bob, and Leo. Harold and Carold Craycraft were asked to be back on the agenda for January 2014.

Raymond Cox made a motion to pay the monthly bills. Ralph Turner seconded the motion. All in favor.

Bob Lee made a motion to give employees a Christmas bonus of 300 dollars.

Ronnie Cook second the motion. All in favor.

Ray asked the board about the Louellen Sewer Plant if we still wanted to continue the project.

Pineville is having a water increase and we need a motion to increase Greenhills water bill.

Ralph made a motion to approve Pineville's water increase to twenty-three dollars and ninety cents. Ronnie Cox second the motion. All favor.

Bob Lee made a motion to go into executive session at 4:41 p.m. Ralph Turner seconded the motion. All in favor. The board then returned from executive session at 4:51 p.m.

Raymond Cox made a motion to give a two percent cost of living raise to employees. Ronnie Cox seconded the motion. All in favor.

Charles Guyn said we need a motion to approve the 2014 budget. Ralph Turner made a motion to approve the 2014 budget. Ronnie Cox second the motion. All in favor.

Raymond Cox made a motion to adjourn at 4:52 p.m. Ralph Turner second the motion. All in favor.

Minutes taken and typed by: Angela Noe

Minutes approved with correction: Robert Lee 1-14-14 Change Ronnie Cox to

Minutes approved as read: _____

- Ronnie Cook
- Take out Steve Sargent not here
- Change date to 12-10-13

Regular Board Meeting
January 14, 2014

Present: Steve Sergent, Bob Lee, Raymond Cox, Ralph Turner, Ronnie Cook, Ray Metcalfe, Marcella Fuson, Charles Guyn, Ken Taylor and Sid Douglas.

The meeting was called to order at 4:02 p.m. by Chairman Bob Lee.

Sid Douglas swore in the new board members as follows:

I Steve Sergent, Bob Lee, Raymond Cox, Ralph Turner and Ronnie Cook, do swear or affirm that I will faithfully perform the duties of Board of Commissioners of the Black Mountain Utility district of Harlan County Kentucky and my bond in the amount of \$500.00 I personally secure without further surety.

Ronnie Cook made a motion that the Board reaffirms all actions and motions taken by this board in its December 2013 meeting to be honored. Ralph Turner seconded the motion. All in favor.

The officers were elected for the next year as follows:

Bob Lee made a motion to elect Steve Sergent as chairman. Ronnie Cook seconded the motion. All in favor.

Raymond Cox made a motion to elect Ralph Turner as Secretary. Ronnie Cook seconded the motion. All in favor.

Ralph Turner made a motion to elect Bob Lee as Treasurer. Raymond Cox seconded the motion. All in favor.

The Chairman and Treasurer were sworn in with a \$200,000 bond for the expense to be paid for by Black Mountain Utility District by Sid Douglas as follows:

I Chairman Steve Sergent, Robert (Bob) Lee Treasurer, do swear or affirm that I will faithfully perform the duties of Chairman, Treasurer, of the Black Mountain Utility District of Harlan county Kentucky and my \$200,000 bond secured by a Bond Company the expense to be paid by Black Mountain Utility District.

The minutes for the December 10, 2013 Board Meeting were read by Ray Metcalfe. Steve Sergent made a motion to accept the minutes with the exceptions of, changing all the names on Ronnie Cox to Ronnie Cook, take out Steve Sergent because he was not present and change the date from January 14, 2014 to the actual date for those minutes of December 10, 2013. Ralph Turner seconded the motion. All in favor.

Customers Complaints:

-William Caldwell had talked to Ray to speak to the Board, he wants to know if he can tie into existing 3 inch line and run it to his house. He said he will supply the line and do the work. The board discussed this before and it cannot be done. There is nothing we can do about this situation.

1 of 2 pages Taken/Typed by: M. Fuson Chairman: Steve Sergent

A copy of a complaint sent to PSC from Carol Craycraft for refusal of services was presented to the board.

This is about the Woodard Branch area that has been discussed several times in the past. Ray said that he talked to Representative Rick Nelson and he has requested a copy of the plans that we had for all the houses on Woodard Branch then it can be sent to next assembly for consideration. He talked to him today and he is covered up with meetings and cannot come to our meetings. He will call Mr. Craycraft. Tim Couch met with Leo Miller but we are not sure what was said. Bob Lee said Tim Couch had made a commit to Leo Miller but he is not in this district any more that they would probably never get water in that area. Carol and Harold Craycraft would like to be put back on the agenda for next month.

The leak adjustments were discussed. We already have a once a year leak adjustment for a line break. We have had so many customers have water lines to freeze and burst we would like to see if they could get an adjustment that would not count as their once a year adjustment.

Raymond Cox made a motion to ask PSC to approve the leak adjustment for the busted pipes do to frozen lines in the winter that wouldn't affect the one time leak adjustment they already can have. Ralph Turner seconded the motion. *All in favor*

Ronnie ^{Cook}~~Cox~~ made a motion to pay the monthly bills. Ralph Turner seconded the motion. All in favor.

Ken Taylor gave project updates. He said the telemetry is running but we have a few things to work out. The tank on Pine Mountain is running off a timer. He said we can do some work and maybe add tanks if we have money left over unless it is needed somewhere else.

Raymond Cox made a motion to adjourn the meeting at 4:35 p.m. Ronnie Cook seconded the motion. All in favor.

Minutes taken and typed by: M. Ferguson

Minutes accepted with correction: Steve Smith

Minutes accepted as read: _____

Correction of all in favor as noted & Ronnie Cook not Cox.

February 11, 2014
Regular Board Meeting

Present: Steve Sergent, Bob Lee, Ronnie Cook, Charles Guyn, Ray Metcalfe, Marcella Fuson and Ken Taylor.

Meeting called to order by Chairman: Steve Sergent at 4:04 p.m.

The minutes were read by Ray Metcalfe for the January 14, 2014 board meeting. Bob Lee made a motion to accept the minutes with the correction of changing Ronnie Cox to Ronnie Cook. Ronnie Cook seconded the motion. All in favor.

Bob Lee made a motion to pay the monthly bills. Ronnie Cook seconded the motion. All in favor.

Charles Guyn delivered the 2013 closing balance sheet without the depreciation. Bob Lee asked Charles about the audit. Charles told him he would talk to Richard he had been tied up with other matters.

Customer Complaints:

-William Caldwell, The board discussed his pressure which is 50/60 pounds of pressure from a test that was conducted. Ken Taylor said he believed the PSC was miss lead on this matter. He said the county road is where the meter is at and we can't run lines all the way to her house like she wants. They have a pump set up about half way from the meter base and her house. If we lose water the customer says it doesn't get to his pump but we just have to have 30 pounds of pressure at his meter and we always have more.

-Carol/Carold/Harold Craycraft from Woodard Branch attended the meeting. Ronnie Cook asked if a line could be put in from Tim Whitehead's where it splits at Travis Gross's at the end of black top. They asked could a water line be put in at another old road. Bob Lee said we need to talk to Leo Miller to see what if anything can be done we have taken up a lot of time on this matter. Leo would be the one that could tell us what could be done. Ronnie Cook told them, they would have to have a pump no matter what to get the water. Mr. Craycraft told the board they have tried for seven years to get water and would like someone to help them get it. Bob Lee said Leo Miller will have to do the plans if it can be done and the division of water will have to approve it no matter how much money we have it can't be done if they don't approve it. It will most likely not be approved, because you can't justify dumping water every three days because not enough people are using the water. The Craycrafts want to use the money over at Woodard Branch before it is lost. Bob Lee told Ray to talk to Leo and see what he says, if he has more plans on this or what. Ronnie Cook will go with him and they will ask Leo to come to the next meeting. Harold and Carold Craycraft asked to be put on the agenda for next month.

Ken Taylor brought papers for the Chairman Steve Sergent to sign for line relocation on Sukey Ridge.

Tommy McKenzie came in and was asking questions, Bob Lee told him he would have to talk to Ken BMUD didn't have anything to do with the matter.

Bob Lee made a motion to adjourn the meeting at 4:50 p.m. Ronnie Cook seconded the motion. All in favor.

Minutes taken and typed by:

M. Fuson

Minutes accepted with correction:

3-11-14

Minutes accepted as read:

Steve Sergent

Regular Board Meeting
March 11, 2014

Present: Steve Sergent, Bob Lee, Raymond Cox, Ronnie Cook, Charles Guyn, Leo Miller, Ken Taylor, Marcella Fuson, Angela Noe and Ray Metcalfe.

The meeting was called to order at 4:03 p.m. by Chairman Steve Sergent.

The minutes for the February 11, 2014 meeting were mailed and read by each board member. Bob Lee made a motion to accept the minutes as read. Raymond Cox seconded the motion. All in favor.

Ronnie Cook made a motion to pay the monthly bills. Raymond Cox seconded the motion. All in favor.

Ken Taylor gave a project update. He said he has a meeting with the Highway Department about the relocation project; we will have to see what they decide with Tommy Mack asking for an extension due to bad weather. His time ran out last week and he is about 50% finished. Ken said he and Ray spoke about the telemetry system. They discussed moving materials from Laden Oaks pump station to another tank in Green Hills to monitor that tank. Ken said that would be more efficient to monitor when the tank in Green Hills is getting low. Raymond Cox made a motion to move material from Laden Oaks to one of the tanks in Green Hills. Ronnie Cook seconded the motion. All in favor.

Ronnie Cook asked about the Shepherd Tank. Ray said it was working real well. He said when they have problems they can pull water from Harlan if needed, but we have to watch and not run to much water or it will effect Sergent Drive. Bob Lee said we need to look into what we can do on Sergents Drive if it were fixed we wouldn't have any problems with that area.

Leo Miller came to the meeting to discuss Woodard Branch. He said the agreement for \$325,000 Reallocated money will come to BMUD.

Raymond Cox made a motion to accept and approve the memorandum of agreement between KIA and BMUD WX21095005 \$325,000 Coal Severance Tax Allocation Reauthorization and Reallocation, authorizing the amendment of the local budget and to give the board secretary and chairman permission to sign said agreement. Bob Lee seconded the motion. All in favor. A copy of Agreement is attached to these minutes.

Ronnie Cook made a motion to allow the treasurer Bob Lee to sign the agreement for the Secretary Ralph Turner because he was not present. Raymond Cox seconded the motion. All in favor.

The insurance for the employees was briefly discussed; Lonnie Burkhardt with Anthem Blue Cross was present. Bob Lee said this is the only insurance option we have. Charles Guyn said after checking with other businesses, he thinks this is the only option. The rates for BMUD will go down from \$6,257.01 to \$4,837.06, but the deductions and out of pocket for employees will go up from a \$250 deductible to a \$500 and from \$1,500 to \$5,500 out of pocket cost.

A motion was made by Bob Lee and seconded by Raymond Cox to allow Chairman Steve Sergent to sign the new Tariffs that combined BMUD and Green Hills. All in favor.

Bob Lee made a motion to adjourn the meeting at 4:35 p.m. Raymond Cox seconded the motion. All in favor.

Minutes taken and typed by: Marcella Fuson

Minutes accepted with corrections:

Minutes accepted as read: Steve Sergent
4-8-14

Regular Board Meeting
April 8, 2014

Present: Marcella Fuson, Angela Noe, Ray Metcalfe, Ralph Turner, Raymond Cox, Ronnie Cook, Steve Sergent, Charles Guyn and Ken Taylor.

The meeting was called to order at 4:03 p.m. by Chairman Steve Sergent.

The minutes were sent by mail, read and reviewed by all board members. Ralph Turner made a motion to accept the minutes as read. Raymond Cox seconded the motion. All in favor.

Ralph Turner made a motion to pay the monthly bills. Ronnie Cook seconded the motion. All in favor.

A potential customer whom was not present at the meeting had talked to Ray Metcalfe and Joe Grieshop he bought a house that is not on our water. BMUD can't get water to this house. This is the only house that needs water and it is by itself. Ray said the Division of Water may have to approve it and go over it anyway if we did think it was possible. Ralph Turner discussed the situation asking if it was possible to tie on to the Wilson's or something to be able to get them water. He was told that the Wilson's have water but they paid for a road bore to have it for themselves. Earl has talked to the Wilson's but they will probably not be able to help them. Raymond said the cheapest way would be to tie onto the Wilson's if that were possible. Ray said a lady called him and said they would help do what they could; the house is right across from the Dayhoit Bridge. Ralph said we need to try to get them water if possible maybe the County Judge can help with the money it would cost. It was discussed that the area is solid rock; a road bore is the only thing that can help them it goes across Hwy 119 unless they tie on to the Wilson's. Ken Taylor told the board this was a lot of expense for one house and BMUD would be responsible for about 50 feet of line if they tie onto the Wilson's that anything before the meter would be BMUD's responsibility. BMUD would have to get a permit from the highway department Ken said. The board told Ray to get some prices and bring the potential customer to the meeting.

Ken Taylor gave a project update. He said the telemetry is working fine; just have to fix a few small things. The relocation Project that Tommy Mack is doing was supposed to be finished the end of February then he got an extension for April 17th, now it will take him at least three weeks to finish. Ken said so far the highway department is okay with the delays with no liquidated damages. The state may come in and say enough is enough. Ken will talk to him at the meeting tomorrow.

Ronnie Cook asked for an update on the Woodard Branch project. He was told Tim Schwendeman signed everything and all is going as planned. They might be breaking ground in the next month or two.

Raymond Cox made a motion to adjourn the meeting at 4:30 p.m. Ralph Turner seconded the motion. All in favor.

Minutes typed and taken by: Marcella Fuson

Minutes approved with correction:

Minutes approved as read: Steve Sergent 5-13-14

Regular Board Meeting
May 13, 2014

Present: Steve Sergent, Bob Lee, Ronnie Cook, Ralph Turner, Charles Guyn, Ken Taylor, Ray Metcalfe, Angela Noe and Marcella Fuson.

The meeting was called to order by Chairman Steve Sergent at 4:02 p.m.

Bob Lee made a motion to pay the monthly bills. Ralph Turner seconded the motion. All in favor.

The minutes were sent to each board member by mail for the April 8, 2014 board meeting. No discussions or changes were made. Ralph Turner made a motion to accept the minutes as read. Ronnie Cook seconded the motion. All in favor.

Complaints: Heather Saylor came to the board meeting to see if there was any way she could get water. It is on the other side of the road from where BMUD's water line is across from Dayhoit Bridge. Bob Lee told her that it had been an issue for some time and was brought up in the past, several times since he has been on the board. He didn't see any way it could be done. Ray had checked with Harry Gibson he priced it at \$5,500 that was for the bore and everything. Ken Taylor said Akins would do just the bore for around \$2,000 just for a one inch line under the road, but it would have to be when they were over here doing some other work. The board told Ray to talk with Harry Gibson and see what he would charge for just the bore not hooking it up.

Ronnie Cook made a motion to allow Harry to do this if it is priced around the \$2,000 and can be done in a reasonable time frame if not for Akins to do it at the cost around \$2,000 when they are doing another job. Ralph Turner seconded the motion. All in favor.

Project updates: Ken Taylor said they are working on telemetry. We will be able to read tank levels from here.

The relocation project that Tommy Mack is doing he is about 75% complete. Ken said he will talk with him today. The board discussed Tommy Mack shouldn't be able to bid on these jobs because he doesn't have the equipment needed to do them. Ken said the highway department will come back on BMUD if it is not done right. Ken said if he starts holding up the highway department it will cause problems. He said the highway department doesn't have a contract with BMUD but BMUD has one with Tommy Mack so they will come back on BMUD if they have problems. Bob Lee said if he is not finished by the next board meeting he needs to be here. Ken said his last extension was for April 7th and he said he would be finished in two weeks. The bonding company is on notice about the backhoe payments he owes.

Ray talked to Leo about Woodard Branch. He said the wording has to be changed on the memorandum of agreement for the relocation of the \$325,000. Rick Nelson had it worded different than they wanted and they are working on it. Then after that it would be at least ninety days before we can start the bids.

Bob Lee made a motion to adjourn the meeting at 4:24 p.m. Ronnie Cook seconded the motion. All in favor.

Minutes taken and typed by: Marcella Fuson

Minutes accepted with correction: _____

Minutes accepted as read: Steve Sergent

Regular Board Meeting
June 10, 2014

Present: Steve Sergent, Bob Lee, Ronnie Cook, Charles Guyn, Marcella Fuson, Angela Noe and Ray Metcalfe.

The meeting was called to order by Chairman Steve Sergent at 3:48 p.m.

The chairman asked if there was any discussion or corrections with the May 13, 2014 Board Minutes that were mailed to each member and they also get a copy at the meeting. Bob Lee made a motion to accept the minutes as read. Ronnie Cook seconded the motion. All in favor.

Ronnie Cook made a motion to pay the monthly bills. Bob Lee seconded the motion. All in favor.

In an update on the road bore across from the Dayhoit Bridge, Ray Metcalfe informed the board that Harry Gibson had completed the bore for \$2,000. He said it is not connected; just the road bore is finished.

Leo Miller was not at the meeting, Ray said the only update he had on the Woodard Branch project is that they had got together and rewrote the paper work and sent it back in. Steve said he had signed all the papers a few days ago. Harold and Carol Craycraft were present at the meeting to see what updates they had on the project.

Ken Taylor was not present; there were no updates for him.

Tommy McKenzie was present at the meeting. He spoke to the board about the relocation project on Sukey Ridge. He said he should be finished in two weeks. Bob Lee asked him what was taking him so long; he said the highway department will come back on BMUD if he doesn't get it finished soon. Tommy said he was waiting on the State to decide on what they wanted to do on a road bore, they finally decided on a thirteen and half foot deep road bore and completed it, he said he at this time the Highway Department is not in a hurry. Bob Lee told him the board just wants it finished soon, before the next board meeting, for sure. Tommy Mack told him again it will be finished in two weeks.

Bob Lee made a motion to adjourn the meeting at 4:08 p.m. Ronnie Cook seconded the motion. All in favor.

Minutes taken and typed by: Marcella Fuson

Minutes accepted as corrected: _____

Minutes accepted as read: Steve Sergent

Regular Board Meeting
July 8, 2014

Present: Steve Sergent, Bob Lee, Raymond Cox, Ronnie Cook, Ralph Turner, Charles Guyn, Marcella Fuson, Angela Noe, and Ray Metcalfe.

The meeting was called to order at 3:59 p.m. by Chairmen Steve Sergent.

The board received June 10, 2014 minutes in the mail also a copy at the board meeting. Bob Lee made a motion to accept the minutes as printed. Ronnie Cook seconded the motion. All in favor.

Raymond Cox made a motion to pay the monthly bills. Bob Lee seconded the motion. All in favor.

Ray Metcalfe spoke to the board about someone stealing water at Nolansburg. He said we thought we had a leak Mike and Earl were out about five hours trying to find it. Ray said a previous customer who was locked for non-payment had the water free flowing into the meter base and a pump was in there pumping water to their swimming pool. We had that locked with a special lock and they took all of that out. He told the board we have had problems with these same customers before. They get locked and break the locks. We called the State Police and got a police report. Ray asked the board if they wanted him to pursue this and get a warrant. The board told him yes to do what he thought was necessary. Ray told the board he took pictures and the police officer did too. He said we also had something happen in Big Laurel, someone drained the tank and we lost about fifty thousand gallons of water. They left a note that said nobody was going to have water. Ray told them he took that note to the Sheriff's Department. They said they would increase patrols in that area. We fixed it and put everything back like it was, you would have to know where it was to find it. Ray said they had told the residents in that area to keep their eyes open.

-Project updates:

Ray said he talked to Leo Miller about Woodard Branch. Leo told him he was meeting with Tim Schwendeman next week to do ride over to look over the whole project.

Ken Taylor gave a project update. He told the board that Tommy McKenzie was still working doing the last tie in, fixing a leak under the road and cleaning up everything. Ken said he had a meeting with the State Highway department last week and there are no liquidation damages at this time.

Pay request for \$5,000 from McKenzie Trucking was submitted. After taking out payments Charles first said he didn't think he owes Tommy anything. He said in Draw 3- \$5,521.81 went to Ferguson/\$8,233.17 Price Back Hoe and in Draw 4- \$9,466.83 Price Backhoe/\$3,652.15 Victory Plumbing-McKenzie Trucking. Charles said all the checks will be written to Victory Plumbing/McKenzie Trucking/whoever the payee is.

Raymond Cox made a motion to write these checks. Bob Lee seconded the motion. All in favor.

Bob Lee asked what name Tommy McKenzie's Company is under and when is he supposed to get finished. Ken said it is Victory Plumbing/McKenzie Trucking. That is what the checks have to be written in and he should be finished in a couple of weeks.

Joe Greishop was not at the meeting. He was going to speak to the board about merging Black Mountain Utility District and Cawood Water District, which they would combine them and change the name. Ken Taylor told the board you could get more money to help with things if there was one county utility. Bob Lee made a motion to support the merger of the two water districts. Raymond Cox seconded the motion. All in favor.

▷ Ronnie Cook asked why the fuel bill was so high. Ray told him all the different work orders they have at different places in the county. Charles Guyn told the board they really need a rate increase, the bills are going up and the water rates have stayed the same.

Bob Lee made a motion to adjourn the meeting at 4:44 p.m. Ralph Turner seconded the motion. All in favor.

Minutes taken and typed by:

Marcella Fuson

Minutes accepted with changes:

Minutes accepted as read:

Steve Sergent

Regular Board Meeting
August 12, 2014

Present: Steve Sergent, Bob Lee, Raymond Cox, Ralph Turner, Ronnie Cook, Joe Greishop, Charles Guyn, Marcella Fuson, Angela Noe, Ray Metcalfe and Ken Taylor.

The meeting was called to order at 4:00 p. m. by Chairman Steve Sergent.

The minutes for the July 8, 2014 meeting were sent in the mail. Bob Lee made a motion to accept the minutes as printed. Ralph Turner seconded the motion. All in favor.

Bob Lee made a motion to pay the monthly bills. Raymond Cox seconded the motion. All in favor.

Customer Complaints:

Carol Witt came to the meeting to talk to the board about getting water. She hasn't come in the office and wasn't put on the agenda but wanted to know if they could get water. She lives on Cliff Branch Road in Coldiron, all the way around the curve; it turns up the hill to Sherry Long's and James Blevins. She lives in the very last house. She said everyone up there would like to have water around three houses. Bob Lee told her, when the water was put in up there the people didn't want it and she needs to talk to Ray first before she came to the meeting.

Harold and Carol Craycraft came to the meeting to hear updates about Woodard Branch. The board discussed this later in the meeting.

Project updates: Ken Taylor was present at the meeting. Ken said Tommy Mack has all water stuff finished he still has clean up and pavement replacement to do. We are still holding \$15,000 at this time. The sewer issue at Louellen was talked about. Ken said we had easement problems. Black Bottom is okay but behind post office to entrance of Karst Robbins we are having issues with. Joe Greishop said they gave the county part of that, they did a quick land deed from Karst. CSX deeded that to Sea Side out of Florida including a right away to remove the rails. Ken said BMUD needs a lawyer since Sid Douglas has retired, to check into this. Ken said the tax bill still comes to CSX. The Bennett's and a place in Northern Ky. have bought the tax bill on this property a time or two. Ken said he can't find anything where CXS deeded it back to Karst or anything. Bob Lee said he thought it was deeded to the Sea Side only until the tracks were removed but we would have to check into it. Joe Greishop said some property goes back to the previous owner and some are sold after they pull the rails.

The board wants Ray to speak to an attorney about this. They discussed Buttermore; Joe said that is the best one and Bob said Susan Rodney is one you need to call. Bob also said to call Sid because he said he would help us if these two water company's merge.

Joe Greishop spoke to the board about Cawood Water District and BMUD becoming one Utility District for the County. Bob Lee told him BMUD had made motions to do this already at the last meeting. Joe said Kia is 100% for this merger. He said this is the next step for the county, we have plenty of gas and we need to do this. Right now it is going to North Carolina and to Duke Power Company in Rogersville. We need to use it here in the county, he said. Joe said BMUD runs the water utility in a different way than Cawood, BMUD tries to give everyone water if possible and Cawood will only do that if it makes them money.

Charles told the board he thinks the water rates need to raise 50% in order to keep up with everything

1 of 2 pages sign both pages typed and taken by: M. Fuson accepted as read/correction:

Steve Sergent
Correction per. 7
Susan Rodney to
Susan Lawson Rodney
Buttermore

that is going up. Charles said both districts are not running the office like a business, he said he understands they are trying to help everyone get water but it is hurting the utility. He said putting the new line across Pine Mountain in, cost \$3,500,000, you picked up fourteen customers and the electric bill is \$2,000 a month, you may get around \$300 a month from those customers paying on that \$2,000. That's why I think the rates need to raise 50%, the free money helps get people water, but we have to maintain the water after that project is done so the free money ends up costing money to the Utility. Bob Lee said the water raise sounds like a lot but they have put it off for so long that it would probably need to be raised but we need to serve the people as we can and merge these companies. Bob said no one will lose their job. Ralph Turner said companies away from here make a lot of money off their gas and we don't make any. He asked Joe about the ones that were on it now like the Hospital and Nursing home, Joe said we get about \$12,000 mineral tax off of that, it was really nothing. He said they could only hook up two in the area or it would be considered a Utility Company.

The project for Woodard Branch was discussed; the paper work was turned in to the Division of Water in May signed by Steve Sergeant. Joe said he thinks Rick Nelson is blocking it; Rick's concern is how we can spend that much money for just a few homes. Joe said Leo called him three times last week to tell him to try to get Rick Nelson on board. They will not let go of the money till he says its o.k. He will get in touch with Leo when he gets back to get an update.

Bob Lee made a motion to adjourn the meeting at 4:44 p.m. Raymond Cox seconded the motion. All in favor.

2 of 2 pages

Minutes taken and typed by: Marcella Fuson

Minutes accepted with correction: Steve [Signature]

Minutes accepted as read: _____

Paragraph 7
Change Susan Rodney
to Susan Lawson and
Rodney Buttermore

Regular Board Meeting
September 9, 2014

Present: Steve Sergent, Raymond Cox, Ronnie Cook, Ralph Turner, Ray Metcalfe, Marcella Fuson, Angela Noe, Charles Guyn, Leo Miller and Ken Taylor.

The meeting was called to order by Chairman Steve Sergent at 4:03 p.m.

The minutes for the August 12, 2014 meeting were discussed. The board members received one in the mail and a copy at the meeting.

Raymond Cox made a motion to accept the minutes with an exception of paragraph 7 Susan Rodney, should be Susan Lawson or Rodney Buttermore. Ralph Turner seconded the motion. All in favor.

Ralph Turner made a motion to pay the monthly bills. Ronnie Cook seconded the motion. All in favor.

Customer Complaints:

-Johnny Turner was on the agenda but did not attend.

-Ray Metcalfe spoke to the board on behalf of Carol Witt, whom was at the meeting last month to see if she can get water where she lives on Cliff Branch Road. Ray said he measured from the last meter base on that road to her property; it is 2,465 feet, which is a long distance. There is about 124 feet difference in elevation from that meter base to where she lives. Ray discussed with the board no one else has talked to him about wanting water there but Mrs. Witt says there are about three people that want the water. Ray said he told her he would bring it up at the meeting, but no decision would be made until they get some estimates on the cost and make a decision. Steve Sergent asked if he knew what the pressure was at that last meter, Ray told him he didn't check the pressure and he didn't know if it was enough to take it all the way to her house. The line lies in a ditch on a county road. Ralph Turner asked after about five years will it break even, make money or keep losing money for the Utility; Ray told him they would have to see just how much it will cost to do this before they know anything. The board instructed Ray to get some cost estimates to do this and they will discuss it at the next board meeting.

-Harold and Carol Craycraft were present at the meeting to hear a project update from Leo Miller on the potential Woodard Branch project.

Project updates:

-Ken Taylor gave an update: he said he was going to send a letter to C.I. Thornburg about the telemetry. He said when BMUD has a problem they are supposed to be here within forty-eight hours to fix it and they should have been here already to fix the problems, he said we need power on the Davis and Bigelow tanks. Ken said Tommy Mack was down to one load of Black top, the highway department is not as cooperating as well as they did before, but so far they have no problems.

Page one of two

Minutes taken and typed by: Marcella Fuson

Minutes accepted with correction: _____

Minutes accepted as read: Steve Sergent

-Leo Miller gave an update on the potential Woodard Branch project: he said he knew Judge Joe Greishop was at the meeting last month and was asked why there was a hold up. Leo said, he printed a few e-mails where it shows we have attempted to get something started on this regarding: Harlan Co-HB235 Reauthorization and reallocation- WX21095005 Grant ID 21CS-2014 for \$325,000 They are as follows: June 23, 2014, July 18, 2014, July 18, 2014, July 24, 2014 and July 30, 2014. A copy is attached to the board minutes, as attachments one and two. Leo Miller also said that Judge Greishop has left messages for Rick Nelson explaining that he the Judge does agree with it. Leo said a meeting needs to be set up, for Judge Greishop, Leo Miller, Tim Schwendeman, Black Mountain Utility and Rick Nelson. Steve Sergent asked Leo if BMUD could do anything, Lec told him to contact Rick Nelson and have him come to the meeting.

Ralph Turner made a motion to adjourn the meeting at 4:25 p.m. Ronnie Cook seconded the motion. All in favor.

Page two of two

Minutes taken and typed by: Marcella Fubox

Minutes accepted with correction: _____

Minutes accepted as read: Steve Sergent

With attachments one and two

RECEIVED

JUN 01 2015

PUBLIC SERVICE
COMMISSION

**NO MEETING
NOVEMBER 2014 DUE
TO THE OFFICE BEING
CLOSED FOR VETERANS
DAY.**

120 PROSPEROUS PLACE, SUITE 101
LEXINGTON, KENTUCKY 40509
859-264-9860

SUMMIT ENGINEERING, INC.



RECEIVED

JUN 01 2015

PUBLIC SERVICE
COMMISSION

FAX

To: BENNIE TURNER From: KEVIN
Fax: _____ Pages: 8 INC COVER
Phone: [REDACTED] Date: 8-23-07
Re: _____ CC: FILE

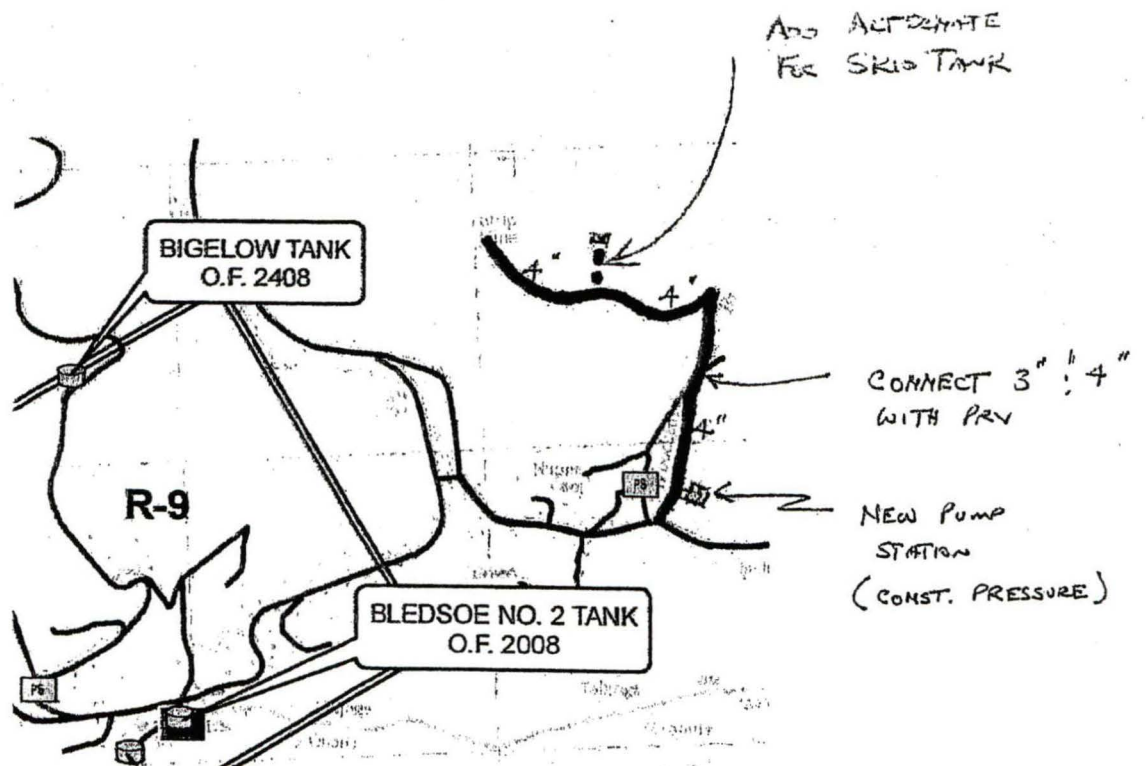
Urgent

For Review

Please Comment

Please Reply

As Requested



OPTION 1: NEW CONSTANT PRESSURE
PUMP STATION 1/4" LINE

OPTION 1A: ADD SKID TANK TO OPTION 1
AND DROP THE CONSTANT PRESSURE
CONTROLLER

1" = 1988 FT

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST
WOODWARD BRANCH WATER SUPPLY PROJECT
OPTION 1
NEW CONSTANT PRESSURE PUMP SYSTEM & 4" LINE**

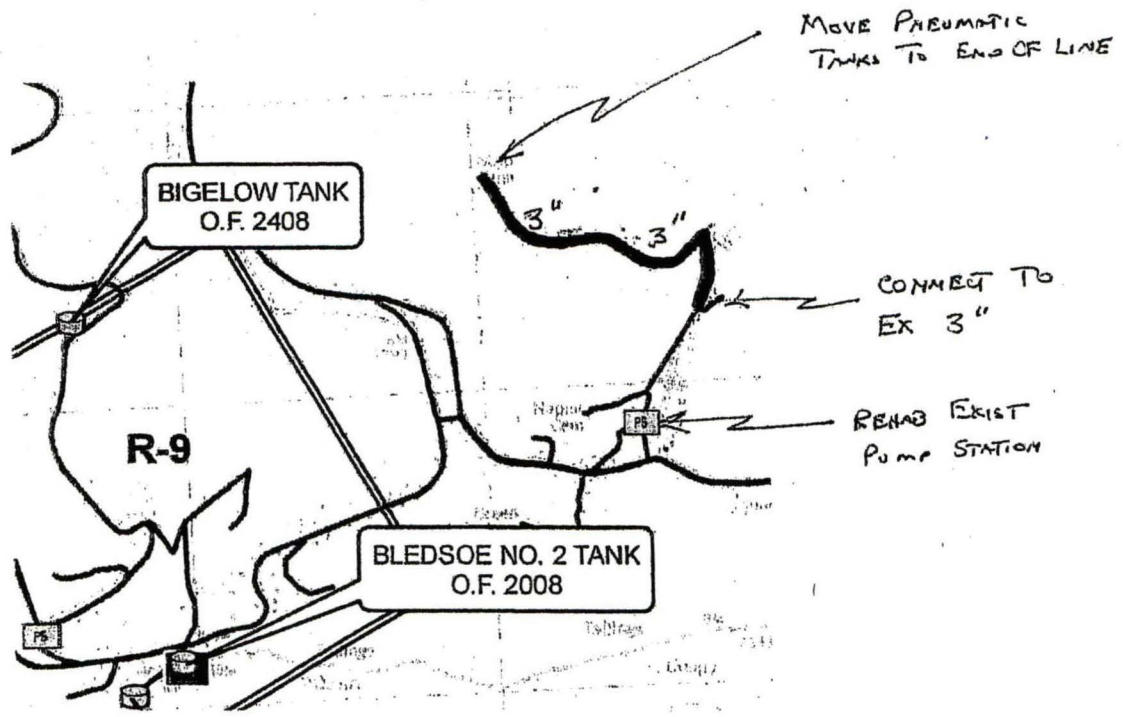
ITEM NO.	ITEM	UNIT	QUANTITY	UNIT PRICE	AMOUNT
1	GENERAL				
1a	Mobilization/DeMobilization	LS	1	2,000	\$2,000.00
1b	Connect to Existing 6" Line	LS	1	1,500	\$1,500.00
2	WATER LINE				
2a	4" SDR 17	LF	5,370	\$12.00	\$64,440.00
3	VALVES				
3a	4" Resilient Wedge Gate Valve, MJ	EA	6	\$800.00	\$4,800.00
3b	2" PRV Station	LS	1	\$5,000.00	\$5,000.00
4	SERVICE CONNECTIONS				
4a	5/8" x 3/4" Water Meter Set with PRV	EA	5	\$600.00	\$3,000.00
4b	3/4" Service Line	LF	250	\$8.00	\$2,000.00
5	HYDRANTS				
5a	Blow-Off with Valve	EA	1	\$2,000.00	\$2,000.00
6	PUMP STATIONS				
6a	Constant Pressure Pump Station Complete In Place	LS	1	\$30,000.00	\$30,000.00
	SUBTOTAL CONSTRUCTION				\$114,740.00
	CONSTRUCTION CONTIGENCIES AT 10%				\$11,474.00
	ESTIMATED CONSTRUCTION COST				\$126,214.00
	Basic Engineering @ 14%				\$17,669.96
	Resident Inspection @13%				\$16,407.82
	Miscellaneous (Advertisements, Legal, Etc.)				\$5,000.00
	OPINION OF PROBABLE PROJECT COST				\$165,291.78

All costs presented hereon are intended to be representative of a publicly bid project. They are based on the engineers experience with similar projects. They by no means imply a guaranteed maximum cost to the owner, but rather are intended to provide a general budget figure to be used primarily in the comparison of alternatives.

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST
WOODWARD BRANCH WATER SUPPLY PROJECT
OPTION 1A
OPTION 1 WITH CONVENTIONAL PUMP & SKID TANK**

ITEM NO.	ITEM	UNIT	QUANTITY	UNIT PRICE	AMOUNT
1	GENERAL				
1a	Mobilization/DeMobilization	LS	1	2,000	\$2,000.00
1b	Connect to Existing 6" Line	LS	1	1,500	\$1,500.00
2	WATER LINE				
2a	4" SDR 17	LF	5,770	\$12.00	\$69,240.00
3	VALVES				
3a	4" Resilient Wedge Gate Valve, MJ	EA	6	\$800.00	\$4,800.00
3b	2" PRV Station	LS	1	\$5,000.00	\$5,000.00
4	SERVICE CONNECTIONS				
4a	5/8" x 3/4" Water Meter Set with PRV	EA	5	\$600.00	\$3,000.00
4b	3/4" Service Line	LF	250	\$8.00	\$2,000.00
5	HYDRANTS				
5a	Blow-Off with Valve	EA	1	\$2,000.00	\$2,000.00
6	PUMP STATIONS & TANKS				
6a	Conventional Pump Station - Complete, In Place	LS	1	\$25,000.00	\$25,000.00
6b	5,000 Gallon Skid Tank	LS	1	\$12,500.00	\$12,500.00
	SUBTOTAL CONSTRUCTION				\$127,040.00
	CONSTRUCTION CONTIGENCIES AT 10%				\$12,704.00
	ESTIMATED CONSTRUCTION COST				\$139,744.00
	Basic Engineering @ 14%				\$19,564.16
	Resident Inspection @13%				\$18,168.72
	Miscellaneous (Advertisements, Legal, Etc.)				\$5,000.00
	OPINION OF PROBABLE PROJECT COST				\$182,474.88

All costs presented hereon are intended to be representative of a publicly bid project. They are based on the engineers experience with similar projects. They by no means imply a guaranteed maximum cost to the owner, but rather are intended to provide a general budget figure to be used primarily in the comparison of alternatives.



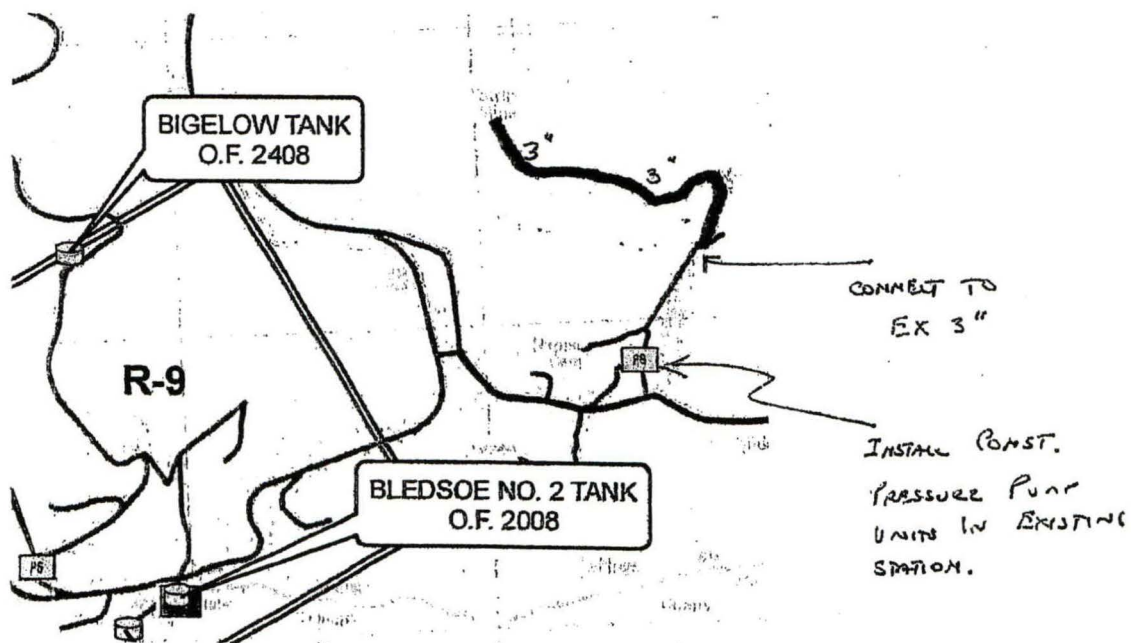
OPTION 2: NEW PUMPS IN NAPIER BRANCH
 PUMP STATION. ~~THIS~~ RELOCATE
 PNEUMATIC TANKS TO END OF
 LINE. 3" PIPES.

CAUTION! THIS ALTERNATE ASSUMES
 EXISTING 3" PIPE CAN TAKE 200 PSI.

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST
WOODWARD BRANCH WATER SUPPLY PROJECT
OPTION 2
REHAB NAPIER PUMP STATION & RELOCATION PNEUMATIC TANKS**

ITEM NO.	ITEM	UNIT	QUANTITY	UNIT PRICE	AMOUNT
1	GENERAL				
1a	Mobilization/DeMobilization	LS	1	2,000	\$2,000.00
1b	Connect to Existing 3" Line	LS	1	1,500	\$1,500.00
2	WATER LINE				
2a	3" SDR 17	LF	3,580	\$10.00	\$35,800.00
3	VALVES				
3a	3" Resilient Wedge Gate Valve, MJ	EA	3	\$650.00	\$1,950.00
4	SERVICE CONNECTIONS				
4a	5/8" x 3/4" Water Meter Set with PRV	EA	5	\$600.00	\$3,000.00
4b	3/4" Service Line	LF	250	\$8.00	\$2,000.00
4c	Retrofit Existing Services w PRV in meter box	EA	5	\$500.00	\$2,500.00
5	HYDRANTS				
5a	Blow-Off with Valve	EA	1	\$2,000.00	\$2,000.00
6	PUMP STATIONS				
6a	New 5 HP Grundfos Pump Units	EA	2	\$1,250.00	\$2,500.00
6b	Control Panel (Starters)	LS	1	\$750.00	\$750.00
6c	Block House at Top Hill w Power, Light, Heat	LS	1	\$8,000.00	\$10,000.00
6a	Labor to Replumb, Install Pumps, & Move Tanks	LS	1	\$4,000.00	\$4,000.00
	SUBTOTAL CONSTRUCTION				\$68,000.00
	CONSTRUCTION CONTIGENCIES AT 10%				\$8,800.00
	ESTIMATED CONSTRUCTION COST				\$74,800.00
	Basic Engineering @ 14%				\$10,472.00
	Resident Inspection @13%				\$9,724.00
	Miscellaneous (Advertisements, Legal, Etc.)				\$5,000.00
	OPINION OF PROBABLE PROJECT COST				\$99,996.00

All costs presented hereon are intended to be representative of a publicly bid project. They are based on the engineers experience with similar projects. They by no means imply a guaranteed maximum cost to the owner, but rather are intended to provide a general budget figure to be used primarily in the comparison of alternatives.



OPTION 3: CONSTANT PRESSURE PUMP STATION
 INSTALLED IN NAPIER STATION ENCLOSURE.
 NO NEED FOR PNEUMATIC TANKS.

CAUTION! THIS ALTERNATE ASSUMES
 EXISTING 3" PIPE CAN TAKE 200 PSI!

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST
WOODWARD BRANCH WATER SUPPLY PROJECT
OPTION 3
REPLACE NAPIER HILL PUMP STATION W CONSTANT PRESSURE STATION**

ITEM NO.	ITEM	UNIT	QUANTITY	UNIT PRICE	AMOUNT
1	GENERAL				
1a	Mobilization/DeMobilization	LS	1	2,000	\$2,000.00
1b	Connect to Existing 3" Line	LS	1	1,500	\$1,500.00
2	WATER LINE				
2a	3" SDR 17	LF	3,580	\$10.00	\$35,800.00
3	VALVES				
3a	3" Resilient Wedge Gate Valve, MJ	EA	3	\$650.00	\$1,950.00
4	SERVICE CONNECTIONS				
4a	5/8" x 3/4" Water Meter Set with PRV	EA	5	\$600.00	\$3,000.00
4b	3/4" Service Line	LF	250	\$8.00	\$2,000.00
4c	Retrofit Existing Services w PRV in meter box	EA	5	\$500.00	\$2,500.00
5	HYDRANTS				
5a	Blow-Off with Valve	EA	1	\$2,000.00	\$2,000.00
6	PUMP STATIONS				
6a	New Constant Pressure Skid installed in existing Napier Pump House	LS	1	\$30,000.00	\$30,000.00
	SUBTOTAL CONSTRUCTION				\$80,750.00
	CONSTRUCTION CONTINGENCIES AT 10%				\$8,075.00
	ESTIMATED CONSTRUCTION COST				\$88,825.00
	Basic Engineering @ 14%				\$12,435.50
	Resident Inspection @13%				\$11,547.25
	Miscellaneous (Advertisements, Legal, Etc.)				\$5,000.00
	OPINION OF PROBABLE PROJECT COST				\$117,807.75

All costs presented hereon are intended to be representative of a publicly bid project. They are based on the engineers experience with similar projects. They by no means imply a guaranteed maximum cost to the owner, but rather are intended to provide a general budget figure to be used primarily in the comparison of alternatives.

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PUBLIC SERVICE
COMMISSION

014. City of Worthington - Storm/Sanitary Sewer Rehabilitation and Equipment Reauthorization and Reallocation (\$74,315 Bond Funds)

(1) **Reauthorization and Reallocation:** The above project is authorized from a reallocation of the City of Worthington - Storm/Sanitary Sewer Rehabilitation project as set forth in 2008 Ky. Acts ch. 191, Section 2, Greenup County, 016. and in 2009 Ky. Acts ch. 50, Section 2, Greenup County, 016.

015. City of Raceland - Water and Sewer Upgrades Reauthorization and Reallocation (\$8,000 Bond Funds)

(1) **Reauthorization and Reallocation:** The above project is authorized from a reallocation of the City of Raceland - Water and Sewer Upgrades and Water Park Infrastructure project as set forth in 2008 Ky. Acts ch. 191, Section 2, Greenup County, 012. and in 2009 Ky. Acts ch. 50, Section 2, Greenup County, 012.

016. Harlan County Fiscal Court - Black Mountain Utility District - Greenhill Water - Woodward Water Project Reauthorization and Reallocation (\$325,000 Restricted Funds)

(1) **Reauthorization and Reallocation:** The above project is authorized from a reallocation of the Harlan County Fiscal Court - Green Hills Water District - Water Line Extension project as set forth in 2008 Ky. Acts, ch. 123, Section 3, L., Harlan County, 014., the Harlan County Fiscal Court - Green Hills Water District - Water Line Extension project as set forth in 2008 Ky. Acts, ch. 123, Section 3, L., Harlan County, 015., the Harlan County Fiscal Court - Green Hills Water District - Water Line Extension project as set forth in 2008 Ky. Acts, ch. 123, Section 3, L., Harlan County, 016.

017. Harlan County Fiscal Court - Black Mountain Utility District - Greenhill Water - System Maintenance and Rehabilitation Reauthorization and Reallocation (\$200,000 Bond Funds)

(1) **Reauthorization and Reallocation:** The above project is authorized from a

reauthorization. The above project is authorized from a reallocation of the Harlan County Fiscal Court - Green Hills Water District - Water Line Extension project as set forth in 2008 Ky. Acts, ch. 123, Section 3, L., Harlan County, 014., the Harlan County Fiscal Court - Green Hills Water District - Water Line Extension project as set forth in 2008 Ky. Acts, ch. 123, Section 3, L., Harlan County, 015., the Harlan County Fiscal Court - Green Hills Water District - Water Line Extension project as set forth in 2008 Ky. Acts, ch. 123, Section 3, L., Harlan County, 016.

**017. Harlan County Fiscal Court - Black Mountain Utility District -
Greenhill Water - System Maintenance and Rehabilitation
Reauthorization and Reallocation (\$200,000 Bond Funds)**

(1) Reauthorization and Reallocation: The above project is authorized from a

12 RS HB 265

Doc ID: 746

reallocation of the Harlan County Fiscal Court - Greenhill Water District - Woodward Water project as set forth in 2008 Ky. Acts ch. 191, Section 1, Harlan County, 004. and in 2009 Ky. Acts ch. 50, Section 1, Harlan County, 004.

**018. Harlan County Fiscal Court - Black Mountain Utility District -
Retire RD Series - 1998 Loan Reauthorization and Reallocation
(\$400,000 Restricted Funds)**

(1) Reauthorization and Reallocation: The above project is authorized from a reallocation of the Harlan County Fiscal Court - Green Hills Water District - Water Line Extension project as set forth in 2008 Ky. Acts, ch. 123, Section 3, L., Harlan County, 014., the Harlan County Fiscal Court - Green Hills Water District - Water Line Extension project as set forth in 2008 Ky. Acts, ch. 123, Section 3, L., Harlan County, 015., the Harlan County Fiscal Court - Green Hills Water District - Water Line Extension project as set forth in 2008 Ky. Acts, ch. 123, Section 3, L., Harlan County, 016.

**019. Laurel County Water District #2 - Laurel County Fiscal Court -
Water Line (WX21125554) Reauthorization and Reallocation
(\$125,000 Bond Funds)**

Leo Miller

From: Tim Schwendeman [timsch@cvadd.org]
Sent: Wednesday, July 30, 2014 9:52 AM
To: Leo Miller
Subject: Fw: Harlan Co - HB235 R/R

RECEIVED

JUN 01 2015

PUBLIC SERVICE
COMMISSION

call or email me when you get this..

From: Milton, Debby (KIA)
Sent: Wednesday, July 30, 2014 9:44 AM
To: Tim Schwendeman
Cc: joe grieshop ; Leo Miller
Subject: Harlan Co - HB235 R/R

7-30-14

Tim:

I just talked to Rep Nelson and he said he does want to talk with the Judge Grieshop and the water district regarding this project. I said I would hold off processing this grant any further until I hear back from him.

From: Tim Schwendeman [mailto:timsch@cvadd.org]
Sent: Thursday, July 24, 2014 10:20 AM
To: Milton, Debby (KIA)
Cc: joe grieshop; Leo Miller
Subject: Fw: Harlan Co - HB235 R/R

I understand today, Judge Grieshop just left a voice message to Rep Nelson explaining the situation and for him to contact you. Let me know

From: Tim Schwendeman
Sent: Friday, July 18, 2014 10:39 AM
To: Milton, Debby (KIA)
Cc: joe grieshop ; Leo Miller
Subject: Re: Harlan Co - HB235 R/R

The Judge is ok with the project, also talked to bob lee (now sec. of bmud) was chairman at the time MOA was signed and they are ok with it. I called and left message with Rep. Nelson telling him same but have not received a return phone call.

From: Milton, Debby (KIA)
Sent: Friday, July 18, 2014 10:03 AM
To: Tim Schwendeman
Subject: Harlan Co - HB235 R/R

7-18-14

Tim:

Have you heard anything from the Judge regarding this? I will be out of the office all next week. Thanks.

From: Milton, Debby (KIA)
Sent: Monday, June 23, 2014 1:57 PM
To: 'Tim Schwendeman'
Subject: Harlan Co - HB235 R/R

Tim:

Rep Nelson just called regarding this HB235 Reauth/Reallocation. He said the Judge does not want this grant applied to WX21095005. What is going on?

Top of Form

WRIS	Grant ID	Grant Title	Grant Amount	Balance	HB
WX21095005	21CS-2014	Harlan County Fiscal Court - Black Mountain Utility District - Greenhill Water Line Rehabilitation Project Reauthorization and Reallocation (\$325,000 Restricted Funds)	\$325,000.00	\$325,000.00	235-2014

Debby Milton

Kentucky Infrastructure Authority
1024 Capital Center Dr, Suite 340
Frankfort, KY 40601
502-573-0260, ext 234
502-573-0157 fax
kia.ky.gov

LEO MILLER & ASSOCIATES, INC.

P.O. Box 488

HARLAN, KENTUCKY 40831

leomillerengineering.com

Leo Miller, PE
Paul Miller, PE

(606) 573-4300

August 28, 2013

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JUN 01 2015

PUBLIC SERVICE
COMMISSION

Mr. Bob Lee, Chairman
Black Mountain Utility District
609 Four Mile Road
Baxter, KY 40806

Re: Woodard Branch
Waterline Extension

Dear Bob:

Enclosed, please find two (2) sheets of preliminary plan views of the Woodard Branch waterline extension which was re-authorized and reallocated by the last Legislature in the amount of \$325,000.00.

In reviewing, the Kentucky Infrastructure Authority web site and searching their data base maps and associated "WX" numbers, I cannot find a profile or scope for the project.

Accordingly, I have attempted to work a profile fitting what might have been intended by the Legislature, who reallocated and re-authorized the money amount.

Shown in yellow on the map represents a waterline totally within the Woodard Branch watershed. This line is designated as line "A." The line is 4" PVC and is 3300' in length and would serve two (2) unserved residences at this time. It is not known if additional customers will be added onto this line "A" in any certain time. The current 2010 Census shows a decrease in population with the current trend showing a decline.

Line "A" being 3300 feet long holds 2145 gallons of water and the usage based upon two (2) new customers requires 400 gallons per day. The line itself holds five times what is required to serve the two (2) known customers.

Line "B" shown in red on the plan sheet, represents leaving the Woodard Branch line "A" and is located all on private property and/or private roadway, and at the present would only serve two (2) customers. This line "B" is 2800' long and the line itself holds 1820 gallons. With the present usage of two (2) two customers, only 400 gallons per day are required leaving 1400 gallons in the line.

Line "C" shown in purple on the plan sheet runs in the Daws Branch watershed and

would all be located on private lands and/or roads is 7400' long, and would currently serve five (5) customers. The 4" PVC line would hold 4,810 gallons in this 7400' of line, and the customers at present would use 1,000 gallons per day, leaving over 6,000 gallons on that portion of line.

Line "A" plus line "B" plus line "C" totals 13,500 linear feet of 4" PVC and holds 8,775 gallons, of which only 1,800 gallons of water per day would be required based on the current number of residences.

Division of Water regulations require that the water in storage must be turned completely over in 72 hours (3 days). As you can see with 1800 gallons of useable at the inception of the project, usage for three (3) days would amount to 5,400 gallons, leaving 3,375 gallons to be flushed every third day.

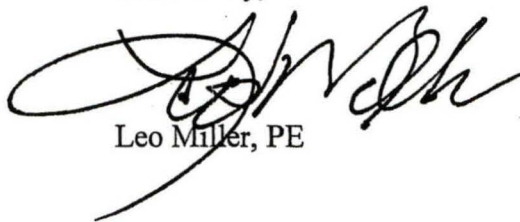
Again, line "A" can be constructed within County right of way. Lines "B" and "C" are held privately and would require easements from the landowners.

I have attached a Preliminary Engineering Budget for your review.

Please take time to review and discuss and provide me the direction the Black Mountain Utility Board wished to proceed.

Should you have any questions regarding this matter, please contact me.

Yours truly,

A handwritten signature in black ink, appearing to read 'Leo Miller', written in a cursive style.

Leo Miller, PE

Cc: Joseph A. Grieshop
Jonathan Pope
Ryan Creech
Fred Busroe
Michael Jones
Paul Miller, PE

Line "A" Woodard Branch

Estimate

Item:	Quantity:	Price:	Total:
Pump Station	1	\$100,000.00	\$100,000.00
6" PVC	350'	\$12.00/Each	\$ 4,200.00
4" D.I.	650'	\$30.00/Ft.	\$ 19,500.00
4" DR 17	750'	\$15.00/Ft.	\$ 11,250.00
4" SDR 21	1550'	\$10.00/Ft.	\$ 15,500.00
4" Gate Valve	6	\$900.00/Ea.	\$ 5,400.00
3" Blow Off	1	\$1500.00/Ea.	\$ 1,500.00
3/4" Service	50'	\$10.00/Ft.	\$ 500.00
3" Cut-In	1	\$1,000.00/Ea.	\$ 1,000.00
3" Main Kill	1	\$1,000.00/Ea.	\$ 1,000.00
5/8" X 3/4" Meter	2	\$ 750.00/Ea.	\$ 1,500.00

\$161,350.00

Line "B" Woodard Branch to Daws Branch

4" SDR 21	2800	\$10.00/Ea.	\$ 28,000.00
4" Gate Valve	2	\$900.00/Ea.	\$ 1,800.00
3" Blow Off	1	\$1500.00/Ea.	\$ 1,500.00
5/8" x 3/4" Meter	2	\$750.00Ea.	\$ 1,500.00

\$ 32,800.00

Line "C" Daws Branch

4" SDR 21	7,400'	\$10.00/Ft.	\$ 74,000.00
4" Gate Valve	8	\$900.00	\$ 7,200.00
3" Blow Off	4	\$1,500.00/Ea.	\$ 6,000.00
5/8" x 3/4" Meter	5	\$750.00/Ea.	\$ 3,750.00

\$ 90,950.00

Line "A" Woodard Branch	\$161,350.00
Line "B" Woodard Branch to Daws Branch	\$ 32,800.00
Line "C" Daws Branch	<u>\$ 90,950.00</u>

Total: \$285,100.00

Water Usage

Line "A"	3300'	2145 Gal.	(2) Customers	400 Gal./Day
Line "B"	2800'	1820 Gal.	(2) Customers	400/Gal./Day
Line "C"	7400'	4810 Gal.	(5) Customers	1,000/Gal./Day

PRELIMINARY ENGINEERING ESTIMATE

WOODARD BRANCH WATERLINE EXTENSION

BLACK MOUNTAIN UTILITY DISTRICT

<u>ITEM:</u>	<u>AMOUNT:</u>
PRELIMINARY ENGINEERING	\$ 10,000.00
LEGAL	\$ 10,000.00
CVADD ADMINISTRATIVE	\$ 10,000.00
CONSTRUCTION (SEE ATTACHED)	\$285,100.00
DESIGN ENGINEER @RURAL DEVELOPMENT 11.52%	\$ 31,248.00
RPR SERVICES @RURAL DEVELOPMENT 9.26%	\$ 25,113.00
5% CONSTRUCTION CONTINGENCIES	<u>\$ 13,558.00</u>
PRELIMINARY ENGINEERING ESTIMATE	<u>\$385,019.00</u>

PRELIMINARY ENGINEERING BUDGET
WOODARD BRANCH WATERLINE EXTENSION
BLACK MOUNTAIN UTILITY DISTRICT

PROJECT COST \$385,019.00

FUNDED \$325,000.00

DEFICIT (\$ 60,019.00)

APPENDIX D

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2015-00038 DATED **JUL 02 2015**

COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO BLACK MOUNTAIN

1. Provide an estimate of the cost to extend water service to Complainant. Include in the estimate a description of infrastructure necessary to extend water service and state the amount of financial responsibility that Black Mountain would assign to Complainant as a condition of extending service.

2. Refer to Black Mountain's response to the Request for Information contained in Appendix B of the Commission's February 6, 2015 Order, Item 1. Black Mountain states that Complainant's property was a property within the scope of the Woodard Branch Waterline Extension – Green Hills System Rehabilitation project, Kentucky Infrastructure Authority for Water Resource Information System ("WRIS") Project Number WX21095005 until October 24, 2014. State whether any other individual with property within the scope of the WRIS Project Number WX21095005 has applied for service. If so, provide the total number of individuals who have applied for service and provide an estimate of the cost to extend water service to Complainant and the individuals who have made application. Include with the response the amount of financial responsibility that Black Mountain would assign to Complainant as a condition of extending service under this scenario.

3. Provide a copy of all correspondence between Black Mountain and the Kentucky Infrastructure Authority since March 27, 2015, relating to WRIS Project Number WX21095005.

4. Provide all correspondence since March 27, 2015, between Black Mountain and the property owners or households who were, until October 2014, considered within the scope of WRIS Project Number WX21095005, the Woodard Branch Waterline Extension.

5. Explain in detail the steps, if any, that Black Mountain has taken since March 27, 2015, to assist the KIA in making a determination regarding the legislative intent for WRIS Project Number WX21095005. If no steps have been taken, please explain why.

6. Identify any efforts since March 27, 2015, to determine the legislative intent for WRIS Project Number WX21095005 of which Black Mountain is aware. For any such effort(s) identified, describe each effort and indicate whether Black Mountain is participating in the effort.

*Black Mountain Utility District
609 Four Mile Road
Baxter, KY 40806-8437

*Carol Craycraft
499 Woodard Branch Road
Bledsoe, KENTUCKY 40810

*Earl Hall
Operations Manager
Black Mountain Utility District
609 Four Mile Road
Baxter, KY 40806-8437

*Scott Lisenbee
Otis Doan, Jr., P.S.C. Attorneys At Law
117 North First Street
Harlan, KENTUCKY 40831