

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                                   |   |            |
|-----------------------------------|---|------------|
| NOTIFICATION TO SEWER UTILITIES   | ) |            |
| REGARDING DEVIATION REQUESTS      | ) | CASE NO.   |
| PURSUANT TO 807 KAR 5:071 SECTION | ) | 2019-00069 |
| 7(4) CONCERNING THE INSPECTION    | ) |            |
| SCHEDULE OF MECHANICAL GRINDER    | ) |            |
| PUMP STATIONS                     | ) |            |

ORDER

The Commission opens this proceeding, on its own motion, to provide guidance to sewer utilities regarding deviation from the daily inspection schedule mandated for all mechanical equipment, including grinder pump stations, in 807 KAR 5:071 Section 7(4). The Commission has plenary authority under KRS 278.040 to regulate the rates and services of jurisdictional utilities and to enforce the provisions of KRS Chapter 278. KRS 278.030 requires every utility to furnish “adequate, efficient and reasonable” service. KRS 278.260 permits the Commission, upon its own motion, to investigate any act or practice of a utility that affects or is related to the service of a utility. KRS 278.280(1) further permits the Commission, after conducting such investigation and finding that a practice is unreasonable, unsafe, improper, or inadequate, to determine the reasonable, safe, proper, or adequate practice or methods to be observed and to fix same by Order.

KRS 278.280(2) directs the Commission to prescribe rules and regulations for the performance of services by utilities. Pursuant to this authority, the Commission promulgated 807 KRS 5:071 Section 7(4), which sets forth inspection procedures for inspection of sewage treatment facilities to ensure safe and adequate operation of the

facilities. The regulation states that unless otherwise authorized in writing by the commission, the sewage utilities shall make inspection of all mechanical equipment on a daily basis.

Several utilities have requested, and some have received, deviation from this daily inspection requirement for their sewage grinder pumps.<sup>1</sup> Due to these requests for deviation, the Commission is aware that daily inspection of grinder pumps for sewage utilities is a burden on the utility because most grinder pump stations are located on the property of customers. This places a strain on the utilities' resources both in terms of the number of employees that are required to perform daily inspections and the amount of time the inspections take, most of which is made up of travel time between the locations of the grinder pump stations. Compliance with the daily inspection requirements would cause utilities to significantly increase its number of employees leading to increased personnel costs. Compliance with the daily inspection requirements would also cause the utilities to purchase additional vehicles to accommodate the added personnel, leading to increases in insurance premiums and fuel costs.

The Commission has received multiple requests for deviations from the requirement of daily inspections of the grinder pump stations. The length of the deviations granted has varied according to the information that the utility included in its application.

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<sup>1</sup> See Case No. 2017-00201, *Garrison-Quincy-KY-O-Heights Water District Request for a Deviation from the Daily Inspection of Sewer Grinding Pumps Stations* (Ky. PSC May 12, 2017); Case No. 2017-00246, *Electronic Application of McCreary County Water District Pursuant to 807 KAR 5:071, Section 7(4) for Approval of Proposed Inspection Procedures* (Ky. PSC June 30, 2017); Case No. 2017-00307, *Electronic Application of Wood Creek Water District Pursuant to 807 KAR 5:071, Section 7(4) for Approval of Proposed Inspection Procedures* (Ky. PSC Aug. 18, 2017); Case No. 2018-00147, *Electronic Application of Mountain Water District Pursuant to 807 KAR 5:071, Section 7(4) for Approval of Proposed Inspection Procedures* (Ky. PSC Aug. 8, 2018); Case No. 2018-00353, *Application of Knott County Water and Sewer, Inc. Pursuant to 807 KAR 5:071, Section 7(4) for Deviation from Daily Inspection Requirements Applicable to Residential Grinder Stations* (Ky. PSC Oct. 17, 2018).

However, recently the Commission has been provided with information in response to a request for information issued by Commission Staff that stated because the grinder pumps are contained in a waterproof sealed case, the internal components of the grinder pump itself are not visible and cannot be inspected.<sup>2</sup> Breaking the seal to inspect the internal components would void the manufacturer's warranty on the grinder pump and could also compromise the functioning of the grinder pump and shorten its useful life.<sup>3</sup> Thus, a visual inspection of the grinder pump mechanism by the utility would be an exercise in futility as there is nothing visible to inspect. It could also be counterproductive as the inspection itself could compromise a functioning grinder pump. In the event of a malfunction, the grinder pump includes a visual and audio alarm to alert the customer of the need to call the sewer utility. The Commission believes the situation would be substantially similar for all utilities with grinder pump stations.

Having reviewed the evidence of record and being otherwise sufficiently advised, the Commission finds that daily inspections of grinder pump stations as required by 807 KAR 5:071 Section 7(4) are impractical and would serve no purpose as the individual grinder pump stations are generally located on each individual customer's property and are enclosed in a sealed case. This makes daily inspections ineffective as the components of the grinder pumps are not visible and any attempt to open the sealed case will void the manufacturer's warranty and could compromise the functioning of the grinder pump. Furthermore, extending the period of time in which inspection must occur will not

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<sup>2</sup> *Case No. 2018-00147 Electronic Application of Mountain Water District Pursuant to 807 KAR 5:071 Section 7(4) for Approval of Proposed Inspection Procedures, Response of Mountain Water District to Commission Staff's First Request for Information, Question No. 3 and No. 9, (filed September 21, 2018).*

<sup>3</sup> *Id.*

affect the quality and reliability of service, and will serve to keep personnel and equipment costs from increasing. Accordingly, the Commission finds that all sewer utilities should be granted a deviation from 807 KAR Section 7(4) for inspection of grinder pumps and that an alternate schedule for inspection should be adopted. Based on the nature of grinder pump stations, the minimal maintenance that can be performed, and the typical five-year manufacturer's warranty on the pumps, the Commission finds that an inspection period of five years is appropriate.

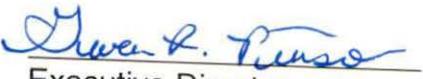
IT IS THEREFORE ORDERED that:

1. All sewer utilities are granted deviation from the daily inspection requirements in 807 KAR 5:071 Section 7(4) for grinder pump stations located on or near the customer's property.
2. An alternate inspection schedule for grinder pump stations is approved pursuant to 807 KAR 5:071 Section 7(4), and grinder pump stations located on or near the customer's property shall be inspected once every five years.
3. This order supersedes any other order granting an alternative inspection schedule for grinder pump stations previously granted by the Commission.
4. This case is closed and removed from the Commission's docket.

By the Commission

ENTERED  
MAY 07 2019  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
Executive Director

\*Bush Gardens Enterprises, LLC  
Bush Gardens Enterprises, LLC  
1700 US Highway 23 South  
Hagerhill, KY 41222

\*Nixutil Sanitation Association, Inc.  
Nixutil Sanitation Association, Inc.  
2048 Lincoln Drive  
Independence, KY 41051

\*Martin County Water District  
Martin County Water District  
387 East Main Street, Suite 140  
Inez, KY 41224

\*River Bluffs, Inc.  
River Bluffs, Inc.  
5501 West HWY 524  
Westport, KY 40077-9746

\*Wood Creek Water District Wastewater Division  
Wood Creek Water District Wastewater Division  
1670 Hal Rogers Parkway  
P. O. Box 726  
London, KY 40743

\*Kingswood Development, Inc.  
Kingswood Development, Inc.  
9201 Lena Lane  
Louisville, KY 40299-5400

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

\*Delaplain Disposal Company  
Delaplain Disposal Company  
1029 Monarch Street, Suite 250  
P.O. Box 4382  
Lexington, KY 40544-4382

\*Big Bear Wastewater, Inc.  
Big Bear Wastewater, Inc.  
3499 Big Bear Highway  
Benton, KY 42025

\*Kentucky Mountain Housing Developmen  
Kentucky Mountain Housing Development  
113 Main Street  
P. O. Box 729  
Manchester, KY 40962

\*Kentucky-American Water Company  
Kentucky-American Water Company  
2300 Richmond Road  
Lexington, KY 40502

\*Villas of Woodson Bend Sewer System c/o  
Villas of Woodson Bend Sewer System c/o  
107 East Mount Vernon Street  
P. O. Box 760  
Somerset, KY 42502

\*Bullitt Utilities, Inc. dba Hunters c/o Bullitt County  
Bullitt Utilities, Inc. dba Hunters Hollow Sewer  
P. O. Box 818  
Hillview, KY 40129

\*Fountain Run Water District #1  
Fountain Run Water District #1  
226 Main Street  
P. O. Box 118  
Fountain Run, KY 42133

\*Troublesome Creek Environmental Auth c/o  
Troublesome Creek Environmental Authority, Inc.  
917 Perry Park Road  
Hazard, KY 41701

\*Big Valley Sanitation, Inc. c/o Bullitt County  
Big Valley Sanitation, Inc. c/o Bullitt County  
303 Overdale Drive  
Louisville, KY 40229

\*Garrison-Quincy-Ky-O-Heights Water D  
Garrison-Quincy-Ky-O-Heights Water District  
279 Robins Lane  
P. O. Box 279  
Garrison, KY 41141

\*Jessamine-South Elkhorn Water Distri  
Jessamine-South Elkhorn Water District  
802 S Main Street  
P. O. Box 731  
Nicholasville, KY 40356

\*Grant County Sanitary Sewer District  
Grant County Sanitary Sewer District  
One Farrell Drive  
P. O. Box 460  
Crittenden, KY 41030

\*Oldham Woods Sanitation, Inc.  
Oldham Woods Sanitation, Inc.  
P. O. Box 23226  
Anchorage, KY 40223

\*Symsonia Water District  
Symsonia Water District  
11105 State Rt. 131  
P. O. Box 99  
Symsonia, KY 42082-9801

\*Graves County Water District  
Graves County Water District  
P. O. Box 329  
301 East Broadway  
Mayfield, KY 42066

\*Edmonson County Water District  
Edmonson County Water District  
1128 Highway 259N  
P. O. Box 208  
Brownsville, KY 42210

\*Lake Columbia Utilities, Inc.  
Lake Columbia Utilities, Inc.  
1007 Doric Circle  
Louisville, KY 40205

\*Warren County Water District  
Warren County Water District  
523 US Highway 31W Bypass  
P. O. Box 10180  
Bowling Green, KY 42102-4780

\*Letcher County Water and Sewer Distr  
Letcher County Water and Sewer District  
3443 US 119 North  
Mayking, KY 41837

\*Airview Utilities, LLC  
Airview Utilities, LLC  
1706 Bardstown Road  
Louisville, KY 40205

\*Knox County Utility Commission  
Knox County Utility Commission  
1905 Highway 930  
Barbourville, KY 40906

\*McCreary County Water District  
McCreary County Water District  
P.O. Box 488  
Whitley City, KY 42653

\*Fox Run Utilities, LLC  
Fox Run Utilities, LLC  
1706 Bardstown Road  
Louisville, KY 40205

\*Knott County Water & Sewer District  
Knott County Water & Sewer District  
7777 Big Branch Road  
Vicco, KY 41773

\*Powell's Valley Water District  
Powell's Valley Water District  
31 Adams Ridge Road  
P. O. Box 550  
Clay City, KY 40312

\*Brocklyn Utilities, LLC  
Brocklyn Utilities, LLC  
1706 Bardstown Road  
P. O. Box 91588  
Louisville, KY 40205

\*P. R. Wastewater Management, Inc.  
P. R. Wastewater Management, Inc.  
22 Persimmon Ridge Drive  
Louisville, KY 40245

\*Ridgelea Investments, Inc.  
Ridgelea Investments, Inc.  
2106 W North Bend Road  
Cincinnati, OH 45224

\*Pro Man Property Management, LLC dba South  
Pro Man Property Management, LLC dba South  
200 Water Works Road, Suite B  
Fort Thomas, KY 41075

\*Ledbetter Sewer District  
Ledbetter Sewer District  
1483 US Highway 60W  
P. O. Box 123  
Ledbetter, KY 42058

\*Springcrest Sewer Company, Inc.  
Springcrest Sewer Company, Inc.  
4500 Poor Ridge Pike  
P. O. Box 546  
Lancaster, KY 40444-0546

\*Mountain Water District  
Mountain Water District  
6332 Zebulon Highway  
P. O. Box 3157  
Pikeville, KY 41502-3157

\*Lyon County Water District  
Lyon County Water District  
5464 U. S. Highway 62 West  
P. O. Box 489  
Kuttawa, KY 42055

\*Herrington Haven Wastewater Company,  
Herrington Haven Wastewater Company, Inc.  
4500 Poor Ridge Pike  
P. O. Box 546  
Lancaster, KY 40444

\*Par-Tee LLC dba Perry Park Resort  
Par-Tee LLC dba Perry Park Resort  
595 Springport Ferry Road  
P. O. Box 147  
Perry Park, KY 40363

\*Hardin County Water District #1  
Hardin County Water District #1  
1400 Rogersville Road  
Radcliff, KY 40160

\*Woodland Acres Utilities, LLC  
Woodland Acres Utilities, LLC  
303 Overdale Drive  
Louisville, KY 40229

\*South 641 Water District  
South 641 Water District  
207 Main Street  
P. O. Box 126  
Hazel, KY 42047

\*Marshall County Environmental Serv  
Marshall County Environmental Services, LLC  
522 US Hwy 68 West  
Benton, KY 42025

\*Commonwealth Wastewater Systems, LLC  
Commonwealth Wastewater Systems, LLC  
851 Aviation Parkway  
Smyrna, TN 37167

\*LH Treatment Company, LLC  
LH Treatment Company, LLC  
134 Prater Drive  
Georgetown, KY 40324

\*JoAnn Estates Utilities, Inc.  
JoAnn Estates Utilities, Inc.  
6500 US HWY 60 West  
Paducah, KY 42001

\*Adair County Water District  
Adair County Water District  
109 Grant Lane  
P. O. Box 567  
Columbia, KY 42728

\*East Pendleton Water District Division II  
East Pendleton Water District Division II  
601 Woodson Road  
Falmouth, KY 41040

\*Webster County Sanitation  
Webster County Sanitation  
P. O. Box 155  
Dixon, KY 42409