



LINDSEY W. INGRAM III
DIRECT DIAL: (859) 231-3982
DIRECT FAX: (859) 246-3672
L.Ingram@skofirm.com

300 WEST VINE STREET
SUITE 2100
LEXINGTON, KY 40507-1801
MAIN: (859) 231-3000
FAX: (859) 253-1093

November 11, 2022

ELECTRONICALLY FILED

Linda C. Bridwell
Executive Director
Kentucky Public Service Commission
211 Sower Blvd
Frankfort, KY 40601

Re: KAW Tariff Amendment for Cross-Connections and Backflow Prevention

Dear Ms. Bridwell:

Enclosed please find a tariff filing for Kentucky-American Water Company (“KAW”). By making this filing, KAW seeks to amend Rule 7.4(a) of its tariff regarding the protection of the public water system. When a KAW customer has a cross-connection, e.g., a lawn irrigation system, KAW requires the customer to install and maintain an acceptable protective device that prevents contamination by backflow into KAW’s water distribution system. KAW also requires the customer to periodically test these “backflow devices” to ensure they are in proper working order and to submit those test results to KAW. Customers need to engage certified backflow device testers (“Testers”) to perform those tests. Examples of Testers are plumbers, lawn irrigation companies, and landscape companies.

KAW seeks to improve the efficiency of performing the required tests and the submission of those tests to KAW. Therefore, American Water Works Service Company, Inc. has engaged Backflow Solutions, Inc. (“BSI”) to assist KAW and other American Water operating subsidiaries in reminding customers of the need to test, and then to obtain and process the test results. Under that arrangement, Testers will need to test the backflow prevention device and submit those test results exclusively in electronic format to BSI. In turn, BSI will submit the test results to KAW. Testers will be required pay a mandatory \$12.95 processing fee to BSI. No portion of that fee will be passed on from BSI to KAW.

As part of the charge that a Tester imposes on a KAW customer for performing testing services, it is possible that a Tester will require a KAW customer to pay to the Tester some or all

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of the \$12.95 fee. Whether and how that happens will be up to the agreement reached between the customer and the Tester. KAW does not now and will not be charging any customer any fees for backflow testing nor will such a fee be on a KAW bill to its customer. Accordingly, this is not a charge or a rate that KAW imposes on its customer. Instead, it is a fee that a customer may pay to a Tester it hires to perform testing services. However, of course, for the protection of the public water supply, KAW would be required to terminate water service to a customer who fails to comply with reasonable backflow prevention testing requirements and associated fees.

While it is questionable whether this development requires a tariff revision, out of an abundance of caution and to make it clear that a customer is responsible for paying Testers for services performed, KAW seeks to amend Rule 7.4(a) as indicated in the enclosed attached tariff sheets. KAW has begun the process of notifying customers of the proposed tariff change via newspaper publication.

I hereby certify that: (1) this electronic filing is a true and accurate copy of the original documents in paper medium; (2) the electronic filing has been transmitted to the Commission on November 11, 2022; and (3) no party has been excused from participation by electronic means.

Very truly yours,

A handwritten signature in blue ink that reads "Lindsey W. Ingram III". The signature is written in a cursive style with a prominent "L" and "I".

Lindsey W. Ingram III

Enclosures

First Sheet Nos. 1-14, 16-36, 38-44

Second Sheet Nos. 15, 45-48

Fourth Sheet No. 37

Fifth Sheet No. 49

Cancelling P.S.C KY NO. 8

KENTUCKY-AMERICAN WATER COMPANY

2300 Richmond Road
Lexington, KY 40502

<http://www.amwater.com/kyaw>

RATES – CHARGES – RULES – REGULATIONS

FOR FURNISHING

WATER SERVICE

AT

**BOURBON, CLARK, FAYETTE, FRANKLIN, GALLATIN, GRANT, HARRISON,
JACKSON, JESSAMINE, NICHOLAS, OWEN, SCOTT, WOODFORD, AND ROCKCASTLE
COUNTIES IN KENTUCKY**

FILED WITH THE

PUBLIC SERVICE COMMISSION

OF

KENTUCKY

ISSUED: November 11, 2022

EFFECTIVE: December 31, 2022

Approved:

ISSUED BY: /s/ Kathryn Nash

Kathryn Nash

President

2300 Richmond Road, Lexington, KY 40502

7. PROTECTION OF PUBLIC WATER SYSTEM

7.1 Intercepting and Storage Tanks

- (a) Customer Service Lines shall not be connected to the suction side of pumps, unless approved by the Company. Customers who require a large quantity of water within a short period of time must have intercepting or intermediate storage tanks, pump discharge control valves, or other controls approved by the Company.
- (b) The inlet connection for the tanks attached directly or indirectly to the Customer Service Line shall discharge at a point no less than two (2) times the diameter of the inlet pipe above the overflow of such tanks and must be approved by the Company.

7.2 Check Valves, Flush Valves and Vacuum Breakers

- (a) Customers having boilers or hot water heating systems connected with mains of the Company must have a check valve in the supply pipe to the boilers and hot water heating systems, together with a relief valve at some point between the check valve and heating system. A vacuum valve should be installed, in accordance to applicable plumbing requirements, in the steam line to prevent collapse in case the water supply is interrupted. The Company, however, will not be responsible for accidents or damages resulting from the imperfect action or failure of said valves.
- (b) Flush valve or direct flushing closets should not be installed in Premises where the service pipe supplying such Premises is connected to a main two inches or less in diameter. All flush valves shall be equipped with approved type vacuum breakers.

7.3 Plumbing Work Must Be Approved by Company

All plumbing work done in connection with pipe and fixtures connected with the Company's mains shall be submitted for the approval of the Company before such work is covered up. Whenever the Company determines that plumbing work is defective, the Company may require it be corrected before the water will be turned on.

7.4 Cross-Connections

- (a) No cross-connection will be permitted unless an acceptable form of protection against contamination by backflow into the water distribution system is provided by a testable backflow prevention assembly. Acceptable forms of protection must comply with all applicable state and local requirements and approved by the Company. The required protective device or system shall be provided, installed and maintained by the Customer in good working condition, at the

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President
2300 Richmond Road, Lexington, KY 40502

Customer’s expense, and shall be subject to testing and approval required by the Company before being placed in service, and at such times thereafter as may be deemed necessary by the Company. The Customer shall be responsible for the entire expense of such testing, including, but not limited to, expenses and fees a third party may charge for performing the testing and submitting the test results to the Company electronically or otherwise.

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- (b) Any cross-connection existing which is in violation of these Rules shall be immediately removed or corrected. Failure of the Customer to do so may result in immediate termination of water service in accordance with Rule 4.

8. RIGHTS AND RESPONSIBILITIES

8.1 Customers Requiring Uninterrupted Supply

- (a) The Company will endeavor to give reasonable service but does not guarantee a sufficient or consistent pressure or an absolutely uninterrupted supply of water, and Customers are cautioned to provide sufficient storage of water where an absolutely uninterrupted supply must be assured, such as for steam boilers, domestic hot water systems, gas engines, etc.
- (b) Fixtures or devices taking a supply of water directly from the service pipes, depending upon the hydraulic pressure of the pipe system of the Company for supplying same under working pressure, will do so at the risk of the parties making such attachments, as the Company will not be responsible for any accidents or damages to which such fixtures or devices are subject.

8.2 Interruptions in Water Supply

- (a) The Company reserves the right at any time to shut off the water in the Mains without notice in case of accident or emergency, or for the purpose of making connections, extensions, improvements, alterations, repairs, changes, or for other proper business reasons, and may restrict the use of water to reserve a sufficient supply in its reservoirs for fire protection or other emergencies whenever the public welfare may so require in accordance with Commission Rules. Notwithstanding any other provision in these Rules or any contract or agreement between the Company and any Customer, when, in the judgment of the Company, sufficient supplies of water are not available to the Company, for any reason, to meet all existing and reasonably anticipated demands for service or to preserve and replenish its storage in amounts sufficient to provide fire protection on its system, the Company shall have the right to restrict, limit, curtail or interrupt water service to or water usage by any Customer or Customers.
- (b) The temporary shutting off of water from any Premises for any cause, whether non-payment of bills, leaking pipes, fixtures, etc. shall not cancel a contract for water supply service except at the option of the Company or upon notice from the Customer.

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Kathryn Nash
President
2300 Richmond Road, Lexington, KY 40502

NOTICE

Kentucky-American Water Company provides notice that it is filing with the Kentucky Public Service Commission ("Commission") a request to amend its tariff language regarding cross connections, related backflow testing, and payment to third parties for such testing. The proposed additional language is, "The Customer shall be responsible for the entire expense of such testing, including, but not limited to, expenses and fees a third party may charge for performing the testing and submitting the test results to the Company electronically or otherwise." The filing will be made no later than November 11, 2022 and the proposed effective date of the new tariff language will be December 31, 2022. Any person may examine this filing at Kentucky-American Water Company's offices located at 2300 Richmond Road, Lexington, Kentucky 40502, and on the utility's website at <http://www.amwater.com/kyaw/>. This filing may also be examined at the Public Service Commission's offices located at 211 Sower Boulevard, Frankfort, Kentucky, Monday through Friday, 8:00 a.m. to 4:30 p.m., or through the Commission's website at <http://psc.ky.gov>. Comments regarding this filing may be submitted to the Public Service Commission through its website or by mail to Public Service Commission, P.O. Box 615, Frankfort, Kentucky 40602. The language revisions are proposed by Kentucky-American Water Company, but the Public Service Commission may order language revisions that differ from the language KAW proposes. A person may submit a timely written request for intervention to the Public Service Commission, P.O. Box 615, Frankfort, Kentucky 40602, establishing the grounds for the request including the status and interest of the party. If the Commission does not receive a written request for intervention within thirty (30) days of the initial publication or mailing of this notice, the Commission may take final action on the filing.