

AMENDED AGREEMENT

THIS AMENDED AGREEMENT entered into and effective on the first day of July, 1991, by and between the CITY OF PIKEVILLE, P.O. Box 1228, Pikeville, Kentucky 41502, hereinafter referred to as "Seller" and MOUNTAIN WATER DISTRICT, P.O. Box 1469, Pikeville, Kentucky 41502, hereinafter referred to as "Purchaser".

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

SEP 09 1994

W I T N E S S E T H:

PURSUANT TO 807 KAR 5:011,  
SECTION 9(1)

BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

WHEREAS, the parties have previously entered into a Water Purchase Contract dated January 12, 1987 which agreement was amended by Agreement dated March 26, 1990, whereby the Purchaser agreed to purchase and the Seller agreed to sell potable drinking water.

WHEREAS, Paragraph 3 of the parties' Amended Agreement dated March 26, 1990 provides for an adjustment to the rate for water delivered to the Seller based upon the formula contained on Page 31 of a certain H. J. Umbaugh and Associates' Accounting Report on Wholesale Cost for Services for Pikeville, Kentucky Municipal Water Utilities dated April 7, 1986.

WHEREAS, pursuant to said paragraph and based upon the above-described formula, the City of Pikeville did elect to adjust the rate for water delivered to the Purchaser and the parties now desire to amend the Water Purchase Contract

to reflect such rate adjustment.

NOW, THEREFORE, in consideration of the mutual terms and conditions hereinafter set forth and further in consideration of the continuing observation of the terms and conditions contained in the parties' original agreement, and subsequent amendment thereto, the parties do hereby agree as follows:

1. That Section B, Paragraph 1D is hereby amended to read as follows: "Flat wholesale rate = \$1.77 per 1,000 gallons."

2. All other terms and conditions of the parties' January 12, 1987 Agreement and the March 26, 1990 Amendment are hereby adopted and reaffirmed as if the terms contained therein were set out at length herein.

IN WITNESS WHEREOF, the parties hereto have executed their signatures the day and year first above written.

CITY OF PIKEVILLE

\_\_\_\_\_  
Walter E. May, Mayor

ATTESTED:

\_\_\_\_\_  
Karen Harris, City Clerk

PUBLIC SERVICE COMMISSION  
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BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

RECEIVED

AUG 24 1994

PUBLIC SERVICE  
COMMISSION

AN AMENDED ORDINANCE OF THE CITY OF PIKEVILLE,  
KENTUCKY, ADJUSTING WATER SERVICE RATES FOR  
CERTAIN WHOLESALE USERS AND AMENDING IN PART  
A CERTAIN ORDINANCE ADOPTED ON ~~JANUARY-27,--1987~~  
May 22, 1989

ORDINANCE 0-91- 010

WHEREAS, the Board of Commissioners of the City of  
Pikeville, Kentucky, (the City), previously adopted on January  
27, 1987 and May 22, 1989, an Ordinance and Amended Ordinance  
(the "Rate Ordinance"), revising water and sewer rates and  
charges, and it is now the desire and purpose of the City to  
adjust certain water rates and charges applicable to the  
wholesale water users hereinafter identified;

WHEREAS, H. J. Umbaugh and Associates has determined  
that a rate adjustment for wholesale water users is necessary  
based on a certain formula contained on Page 31 of the H. J.  
Umbaugh and Associate's Accounting Report on wholesale cost of  
service for Pikeville dated April 7, 1986;

NOW, THEREFORE, BE IT ORDAINED by the City of  
Pikeville, Kentucky as follows:

SECTION 1. The second paragraph of Section 2 of the  
Rate Ordinance identified in the foregoing preamble is hereby  
amended to read as follows:

From and after ~~July 1, 1989~~, July 1, 1991, the  
water service rates and charges for the  
following wholesale users shall be, respectively  
as follows (and as fixed by the respective water  
purchase contracts):

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- ~~Mayo Village Water Systems,--Inc.~~ - ~~\$1.32 per 1,000~~  
~~gallons or \$1,030~~  
~~per month, plus~~  
~~\$0.68 per 1,000~~  
~~gallons~~
- Mud Creek Water District - ~~\$1.47 per 1,000~~  
~~gallons or \$2,297~~  
\$2,085 per month,  
plus \$1.00 \$ .95 per  
1,000 gallons
- Sandy Valley Water District - ~~\$1.56 per 1,000~~  
~~gallons or \$7,023~~  
\$6,154 per month,  
plus \$0.97 \$ .90  
per 1,000 gallons
- Mountain Water District - \$1.77 per 1,000  
gallons

SECTION 2. With the exception of the revision and adjustment of water service rates and charges as hereinbefore set out, the provisions of prior ordinances, resolutions and municipal orders of the City relating to its municipal water and sewage system are hereby reaffirmed and ratified.

SECTION 3. This ordinance shall be in full force and effect from and after its final adoption as provided by law.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PIKEVILLE, KENTUCKY, upon second reading at a meeting held on May 29, 1991, following first reading on February 25, 1991, upon such adopting signed by the Mayor as evidence of his approval, attested under seal by the City Clerk ordered to be published according to law and declared full force and effect according to law.

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SECTION 9(1)

BY: Jordan C. Steel  
FOR THE PUBLIC SERVICE COMMISSION

APPROVED:

(SEAL)

Walter E. May  
Walter E. May, Mayor  
City of Pikeville, KY  
PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

ATTEST:

SEP 09 1994

Karen Harris  
Karen Harris, City Clerk

PURSUANT TO 807 KAR 5.011,  
SECTION 9(1)

CERTIFICATION

BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

I, the undersigned City Clerk of the City of Pikeville, Kentucky, do hereby certify that the foregoing is a true, complete and correct copy of an ordinance finally adopted upon second reading by the Board of Commissioners of said City, approved by the Mayor and attested by me as City Clerk, upon the occasion of a properly convened meeting of the Board of Commissioners of said City held on May 29, 1991, as shown by the official records of said City in my custody and under my control. I further certify that I have delivered said ordinance to the legal newspaper qualified under KRS 424 to publish legal documents on behalf of said City, with directions that the same be published in the earliest possible issue thereof.

WITNESS my hand and the seal of said City this  
29th day of May, 1991.

(SEAL)

Karen Harris  
Karen Harris, City Clerk,  
City of Pikeville