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SIMPSON COUNTY WATER DISTRICT

OF

FRANKLIN, SIMPSON COUNTY, KENTUCKY

Charges for Non-Recurring Services

Water Service

At

Franklin, Simpson County, Kentucky

Filed with PUBLIC SERVICE COMMISSION

OF KENTUCKY

ISSUED November 5, 1999

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ISSUED BY Simpson County Water District
(Name of Utility)

BY James Snider
James Snider, Chairman
Board of Commissioners
Simpson County Water District

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SECTION 9 (1)
BY: Stephan Bee
SECRETARY OF THE COMMISSION

**SIMPSON COUNTY WATER DISTRICT
SIMPSON COUNTY, KENTUCKY**

WATER SHORTAGE RESPONSE PLAN

**SEPTEMBER 1988
REVISED OCTOBER 1988
REVISED NOVEMBER 1988**

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SIMPSON COUNTY WATER DISTRICT
WATER SHORTAGE RESPONSE PLAN

Section 1. Purpose. The purpose of this Plan is to provide for the declaration of official phases of water supply shortages and the implementation of voluntary and mandatory water conservation measures throughout the Simpson County Water District in the event a shortage is declared.

Section 2. Definitions. These terms are applicable only for this Plan unless specifically noted.

- A. "Customer" shall mean any person or entity using water for any purpose from the Simpson County Water District's water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site of delivery.
- B. "Raw Water Supplies" shall mean all water potentially available to the City of Franklin who treats and supplies water to the Simpson County Water District.
- C. "Treated Water" shall mean water that has been treated by the City of Franklin and provided to the Simpson County Water District's water distribution system, including water offered for sale. Uses of treated water as classified below.
- D. "Distribution System" shall mean the portion of the water system used to transport the treated water from the point the water is purchased by the Simpson County Water District to Simpson County Water District customer's water meter.

Essential Water Uses (Class 1):

The following uses of water, listed by site or user type, are essential.

Domestic:

- water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

Health Care Facilities:

- patient care and rehabilitation, including related filling and operation of swimming pools.

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Water Hauling:

- sales of domestic use where not reasonably available elsewhere.

Public Use:

- firefighting
- health and public protection purposes, if specifically approved by health officials.

Socially or Economically Important Uses (Class 2):

The following uses of water, listed by site or user type, are socially or economically important.

Domestic:

- personal, in-house water use including kitchen, bathroom and laundry.

Water Hauling:

- non-domestic, when other sources are not reasonably available elsewhere.

Commercial and Civic Use:

- commercial car and truck washes
- laundromats
- restaurants, clubs and eating places.
- schools, churches, motels/hotels and similar commercial establishments.

Outdoor Non-Commercial Watering:

- minimum watering of vegetable gardens,
- minimum watering of trees where necessary to preserve them.

Outdoor Commercial or Public Watering (using conservation methods and when other sources of water are not available or feasible to use):

- agricultural irrigation for the production of food and fiber or the maintenance of livestock,
- watering by arboretums and public gardens of national, state, regional or community significance where necessary to preserve specimens,
- watering by commercial nurseries at a minimum level necessary to maintain stock,

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- watering at a minimum rate necessary to establish or maintain revegetation or landscape plantings required pursuant to law or regulation,
- watering of woody plants where necessary to preserve them,
- minimal watering of golf course greens

Recreational:

- operation of municipal swimming pools and residential pools that serve more than 25 dwelling units.

Air Conditioning:

- refilling for startup at the beginning of the cooling season,
- makeup of water during the cooling season,
- refilling specifically approved by health officials where the system has been drained for health protection or repair services.

Non-Essential Uses (Class 3):

Any waste of water, as defined herein, is non-essential. The following uses of water, listed by site or user type, are non-essential.

Public Use:

- use of fire hydrants (excluding Class 1 and Class 2 uses), including use of sprinkler caps, testing fire apparatus and fire department drills,
- flushing of sewers and hydrants except as needed to ensure public health and safety as approved by health officials.

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Commercial and Civic Uses:

- serving water in restaurants, clubs, or eating places, except by customer request,
- failure to repair a controllable leak,
- increasing water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife.

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Ornamental Purposes;

- fountains, reflecting pools and artificial waterfalls.

Outdoor Non-Commercial Watering:

- use of water for dirt control or compaction,
- watering of annual or non-woody plants, lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection
- flushing gutters or permitting water to run or accumulate in any gutter or street.

Outdoor Commercial or Public Watering:

- expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process,
- use of water for dirt control or compaction
- watering of lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas.
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street

Recreational uses other than those specified in Class 2

- Non-commercial washing of motor and other vehicles.
- Air Conditioning (see also Class 2 purposes):
 - refilling cooling towers after draining

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- E. "Base Entitlement" shall mean the monthly usage for a customer during the same month of the preceding calendar year or the average per customer usage for each class of service during the same month of the preceding year.
- F. "Curtailed Entitlement" shall mean the monthly usage for a customer after any curtailment percentage has applies.
- G. "Curtailment" shall mean the reduction in entitlement by some percentage to meet anticipated water shortages.
- H. Water Shortage Response Phases:

"Advisory" shall mean that conditions exist which indicate the potential for serious raw or treated water supply shortage.

"Alert" shall mean the raw or treated water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.

"Emergency" shall mean that raw or treated water supplies are below the level necessary or meet normal needs and that serious shortages exist in the area.

- I. "Rationing" shall mean that procedures must be established to provide for the equitable distribution of critically-limited raw or treated water supplies, in order to balance demand and limit available supplies, and to assure that sufficient water is available to preserve public health and safety.

- J. "Distribution System" may be added in to any one of the above described phases listed in G or H due to the distribution system capacity being over loaded due to customer demands for water being greater than the distribution systems ability to transport sufficient volumes to meet the customers demand.

- K. It is recognized that the Simpson County Water District purchased its water from the City of Franklin and all Water Shortage Response Phases which are problems related to raw water, Water Treatment Plant, or the City of Franklin's transmission system to deliver water to the District will be implemented when a request is received by the Simpson County Water District from the City of Franklin to implement a particular phase of the Water Shortage Response Plan. The Simpson County Water District may implement a particular

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phase of the Water Shortage Response Plan independent of the City of Franklin due to problems on the Simpson County Water District distribution system.

Section 3. Applicability. The provisions of this Plan shall apply to all retail and wholesale customers of the Simpson County Water District. When implemented, this Plan becomes Simpson County Water District's Water Shortage Response Regulation.

Section 4. Entitlements. Entitlements shall be established for each customer by adjusting the base entitlement to reflect any known change in usage pattern.

Section 5. Determination of Water Shortage. Water supply and usage shall be monitored on a continuous basis. Unrestricted demand shall be projected from past records and adjusted for changes such as new developments and weather conditions on a regular basis. (Note: A sample calculation page is attached as Appendix A to assist in determining overall water levels. It is important that accurate water measurements be used.) Water shortages generally occur for three reasons, a reduction in available supplies, over load of system distribution system capacity due to high customer demand for water, or a system failure. Each of these has a distinct influence on the nature and duration of the conservation program implemented. Official declaration of a water shortage stage and implementation of the measures necessary to curtail water use shall be approved by the Manager of the Simpson County Water District.

Section 6. Term of Water Shortage Declaration. Any water shortage declaration shall remain in effect until water supplies of service conditions have returned to normal. A final determination as to terminating a water shortage declaration shall be made by the Manager of the Simpson County Water District.

Section 7. Water Shortage Stage, Criteria, Conservation and Curtailment Measures.

A. Advisory Stage:

1. Criteria: A water advisory shall be declared when the amount of treated water or raw water available for treatment is projected to be up to 10% below demand, or there are periods of low water pressure in one or more areas of the distribution system due to system failure, or inadequacies, or the State Division of Water issues a Water Shortage Watch which includes the areas from which the Simpson County Water District draws water. (Note: Additional conditions may be added based on local conditions.)

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2. Conservation and Curtailment Measures:

- a. Declare a Water Shortage Advisory.
- b. Provide proper notice to all customers and to all local news medias.
- c. Eliminate all water leaks
- d. Request voluntary conservation of all non-essential (Class 3) water use.
- e. Request wholesale customers also issue request for voluntary conservation by their customers of all non-essential (Class 3) water use.

B. Alert Stage:

1. Criteria: A water alert shall be declared when the amount of treated water available is projected to be up 15% below demand, or raw water supplies are consistently below seasonal averages and if they continue to decline, may not be adequate to meet normal needs. (Note: Additional conditions may be added based on local conditions.)

2. Conservation and Curtailment Measures:

- a. Declare Water Shortage Alert.
- b. Provide proper notice to all customers and to all local news media
- c. Eliminate all water leaks.
- d. Prohibit all non-essential (Class 3) water uses.
- e. Curtail entitlements to all customers by the same percentage as the projected shortage
- f. Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of 100% of the standard water rate.

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C. Emergency Stage:

1. Criteria: A Water Emergency shall be declare when the amount of treated water available is projected to be up to 20% below demand, or there are periods of no water in one or more areas of the distribution system due to low water supply or raw water supplies below the

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level necessary to meet normal needs. (Note: Additional conditions may be added based on local conditions.)

2. Conservation and Curtailment Measures:

- a. Declare Water Shortage Emergency.
- b. Provide proper notice to all customers and to all local news media.
- c. Eliminate all water leaks
- d. Prohibit all Class 3 uses of water.
- e. Prohibit all Class 2 uses of water except Domestic uses for kitchens, bathrooms and laundries.
- f. Curtail all commercial and industrial entitlements (except Health Care Facilities) by 100%
- g. Curtail Residential entitlements by the same percentage as the projected shortage.
- h. Curtail entitlements to all wholesale customers by the same percentage as the projected shortage.
- i. Begin billing all customers water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of 175% of the standard water rate.

D. Rationing Stage:

1. Criteria: Treated water available is greater than 20% below demand or raw water supplies are below the level necessary to meet essential needs, there are extended periods of no water in areas of the distribution system due to the increased customer demand, low water supply from the District's wholesale supplier the City of Franklin, and in the opinion of the Simpson County Water District Board of Commissioners, mandatory rationing is required to insure adequate water is available to maintain public health and safety.

2. Conservation and Curtailment Measures:

- a. Declare Water Shortage Rationing.
- b. Provide proper notice to all customers and to all local news media.

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- c. Eliminate all water leaks.
- d. Prohibit all Class 3 and Class 2 uses of water.
- e. Curtail all commercial and industrial entitlement (except Health Care Facilities) by 100%
- f. Curtail all residential and wholesale entitlements by the same percentage as the projected shortage.
- g. Implement service interruptions to portions of system in accordance with approved published schedule. The schedule shall be provided to all local media.
- h. Begin billing customer water usage in excess of curtailment entitlement at the normal rate plus an excess usage charge of 250% of the standard water rate.

Section 8.

Enforcement of Water Restrictions. Any person who violates the provisions of this Plan, who fails to carry out the duties and responsibilities imposed by this Plan, or who impedes or interferes with any action undertaken or ordered pursuant to this Plan shall be subject to the following:

A. A written notice of the violation of any water use restrictions imposed pursuant to these regulations shall be affixed to the property where the violation occurred and mailed to the customer of record and to any person known to the Water District who is responsible for the violation or its correction. Said notice shall describe the violation and order that it be corrected immediately or within such specified time as the Water District determines is reasonable under the circumstances. If said violation is not corrected, then the Water District may terminate the customer's water service subject to the following:

- 1. The customer shall have the opportunity to appeal the termination by requesting a hearing scheduled before water District officials.
- 2. If such a hearing is requested, the customer shall be given full opportunity to be heard before termination is ordered.

3. Any customer whose water service is terminated for violating provisions of this water curtailment plan shall be subject to the approved reconnection fee prior to reconnection of service.
 4. The excess usage charge billing provisions of this Plan shall not be put in effect if a county ordinance containing penalty provisions is in effect to assist enforcement of this Plan.
- B. The charge for reconnection of service shall be paid prior to reconnection of any water service.
 - C. The reconnection fee will be applied in addition to, separately from, excess usage charge described in earlier sections.
 - D. Violations of this regulation may be prosecuted in the appropriate Court.

Section 9. Request for Exception.

- A. Exception to water use restriction: If compliance with any curtailment measure authorized herein would cause a customer to bear extraordinary hardship, that individual or entity may apply to the Simpson County Water District for an exception. For these purposes, "extraordinary hardship" shall be defined as a condition which may threaten health and safety, or cause property or economic losses, each of which must be shown to be substantially more severe than the sacrifices borne by other users. If extraordinary hardship is found to exist, then an exception shall be granted and a written waiver issued to the customer. If an appeal is made, water service shall be continued until a decision is announced. Any person aggrieved by the decision may file a complaint with the Public Service Commission.

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- B. Exception to curtailment surcharge: Exceptions to be excess use charges shall not be considered or granted.

MANAGER
PUBLIC SERVICE COMMISSION

Section 10. Severability.

If any provision of this Plan is declared invalid by the courts, the remainder of the Plan and its applicability to other persons and circumstances shall not be affected by that declaration.



Section 11. Effective Date.

This Plan shall take effect immediately upon approval by the Public Service Commission.

Section 12. Effective Period

This regulation will remain in effect until terminated by the Simpson County Water District.

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