

FOR Western Fleming County
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 9

Western Fleming Co. Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

_____ SHEET NO. _____

RATES AND CHARGES

E. LEAK ADJUSTMENT RATE:

One Adjustment Per Year

Total Bill Minus \$11.95 Minimum
Bill, Then Half The Bill.

F. WHOLESALE WATER RATES:

Nicholas County Water	\$1.38
Southern Mason County Water District	1.16
Buffalo Trail Water Assoc.	.98
Fleming County Water Assoc.	1.38
City of Flemingsburg	1.38

DATE OF ISSUE _____
Month/Date/Year

DATE EFFECTIVE _____
Month/Date/Year

ISSUED BY Jerry Neal
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. _____ DATED _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAY 01 2002

PURSUANT TO 807 KAR 5.011,
SECTION 9 (1)

BY Stephan Bee
SECRETARY OF THE COMMISSION

C 8/02

P.S.C. Ky. No.....

Cancels P.S.C. Ky. No.....

WESTERN FLEMING COUNTY WATER DISTRICT

OF

EWING, KENTUCKY

Rates, Rules and Regulations for Furnishing
WATER SERVICE

AT

WESTERN PORTION OF FLEMING COUNTY

CANCELLED

MAY -- 2002

Filed with PUBLIC SERVICE COMMISSION OF
KENTUCKY

ISSUED February 27, 1989

EFFECTIVE February 3, 1989

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

FEB 3 1989

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

BY: *Steve Miller*
PUBLIC SERVICE COMMISSION MANAGER

ISSUED BY Western Fleming Co. Water Dist
(Name of Utility)

BY: *Clyde Thomas*
Chairman

Form for filing Rate Schedules

For Western Fleming County
Community, Town or City

P.S.C. NO. _____

_____ SHEET NO. _____

Western Fleming County Water District
Name of Issuing Corporation

CANCELLING P.S.C. NO. _____

_____ SHEET NO. _____

CLASSIFICATION OF SERVICE

RATE
PER UNIT

Monthly Residential Rates

First 2,000 gallons	\$11.60 minimum bill
Next 5,000 gallons	3.30 per 1,000 gallons
Next 3,000 gallons	2.70 per 1,000 gallons
All over 10,000 gallons	1.85 per 1,000 gallons

Monthly Wholesale Rates

Buffalo Trail Water Association	\$.98 per 1,000 gallons
Southern Madison County Water District	1.16 per 1,000 gallons
City of Flemingsburg	1.38 per 1,000 gallons
Fleming County Water Association	1.38 per 1,000 gallons

CANCELLED
MAY -- 2002

DATE OF ISSUE November 14, 1997

DATE EFFECTIVE November 14, 1997

ISSUED BY William G. Cowan
Name of Officer

TITLE Chairman

Issued by authority of an Order of the Public Service Commission of Kentucky
in Case No. 97-387 dated October 8, 1997.

FOR WESTERN PORTION OF FLEMING COUNTY

P.S.C. Ky. No. 1

Original Sheet No. 2

Cancelling P.S.C. Ky. No. _____

Sheet No. _____

WESTERN FLEMING WATER DISTRICT

RULES AND REGULATIONS

NOTICE OF TROUBLE

Consumer shall give immediate notice to the Utility of any irregularities or unsatisfactory service and of any defects known to consumer.

MAINTENANCE

The Utility may at any time deemed necessary, suspend water service to any consumer or consumers for the purpose of making repairs, changes or improvements upon any part of its system. The Utility shall give reasonable notice of such suspension of service to the consumer.

The Utility shall be responsible for the maintenance of that portion of the service line installed by the Utility and the consumer shall be responsible for the maintenance of that portion thereof installed by the consumer.

EXTENSION OF SERVICES

Extension of service shall be in accordance with 807 KAR 5:066E, Section 12.

LINE RELOCATIONS

When necessary to move or relocate facilities, the cost will be paid by party or parties requesting such relocation.

BILLING, COLLECTION, PENALTIES

Bills for water service furnished by the water system will be mailed no later than the 31st day of each month and will be due and payable within 15 days (or by the 15th day of the following month). A 10% late payment penalty charge will be applicable after the due date of any account.

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FEB 3 1989

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

BY: *Shayne Hill*
PUBLIC SERVICE COMMISSION MANAGER

CANCELLED
MAY 2002

DATE OF ISSUE February 27, 1989
Month Day Year

DATE EFFECTIVE February 3, 1989
Month Day Year

ISSUED BY Clyde Thomas
Name of Officer

Chairman
Title

Route #1, Ewing, KY
Address 41039

WESTERN FLEMING WATER DISTRICT

Cancelling P.S.C. Ky. No. _____

Sheet No. _____

RULES AND REGULATIONS

This schedule of Rules and Regulations governs the furnishing of water service by Western Fleming Water District Hereinafter referred to as the Utility and applies to all service received from the Utility. No employee or individual director of the Utility is permitted to make an exception to Rates, Rules or Regulations. All Rules and Regulations are to be in effect so long as they are not in conflict with Public Service Commission Rules and Regulations. The Utility is further subject to all Rules and Regulations of the Commission even though not contained herein.

REVISIONS

These Rules and Regulations may be revised, amended, supplemented or otherwise changed from time to time subject to approval of the Public Service Commission, and shall have the same force as the present Rules and Regulations.

SERVICE AREA

The Utility furnishes water service to Western portion of Fleming County located at Ewing in Fleming County, Kentucky.

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AVAILABILITY

Water service is available to any domestic, commercial or industrial consumer within the Utility's area.

FEB 3 1989

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**SECTION 9(1)
CANCELLED
BY: *[Signature]*
PUBLIC SERVICE COMMISSION MANAGER
MAY 2002**

WATER FAILURE

The Utility is responsible for water failure only when in control of the Utility's employees. No consumer is paid damages for equipment unless such damages are specifically found to be caused by an act of negligence on the part of the Utility or its employees.

PROTECTION BY CONSUMER

Consumer shall protect the equipment of the Utility on his premises and shall not interfere with Utility's property or permit interference except by duly authorized representatives of the Utility.

DATE OF ISSUE February 27 1989 DATE EFFECTIVE February 3, 1989
Month Day Year Month Day

ISSUED BY Clyde Thomas Chairman Route #1, Ewing, KY 41039
Name of Officer Title Address

WATER SHORTAGE RESPONSE PLAN

WESTERN FLEMING COUNTY WATER DISTRICT

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 Western Fleming 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 Western Fleming County Water District 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 persons in the Western Fleming County Water District.
- (c) "treated Water" shall mean water that has been introduced by the Western Fleming County Water District into its water distribution system, including water offered for sale. Uses of treated water are classified as follows:

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:

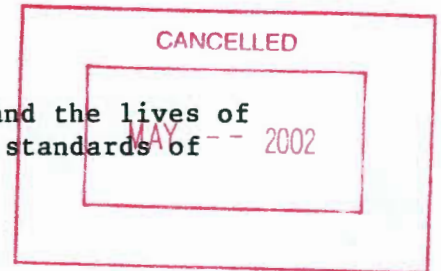
- patient care and rehabilitation, including related filling and operation of swimming pools.

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.



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SECTION 9 (1)
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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:

- minimal watering of vegetable gardens,
- minimal 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,
- 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,

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- 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.

Commercial and Civic Use:

- 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.

Ornamental Purposes:

- fountains, reflecting pools and artificial waterfalls.

Outdoor Non-Commercial Watering:

- uses 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.

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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.

- (d) "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.
- (e) "Curtailed Entitlement" shall mean the monthly usage for a customer after any curtailment percentage has been applied.
- (f) "Curtailment" shall mean the reduction in entitlement by some percentage to meet anticipated water shortages.
- (g) Water Shortage Response Phases:

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

"Alert" shall mean the raw or treated water supplies are 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 to meet normal needs and that serious shortages exist in the area.

"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 limited available supplies, and to assure that sufficient water is available to preserve public health and safety.

Section 3. Applicability. The provisions of this Plan shall apply to all retail and wholesale customers of the Western Fleming County Water District. When implemented, this Plan becomes Western Fleming 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.

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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 two reasons, a reduction in available supplies 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 Commissioners.

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 Commissioners of Western Fleming 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 ___% 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 Western Fleming County Water District draws water.

(2) Conservation and Curtailment Measures:

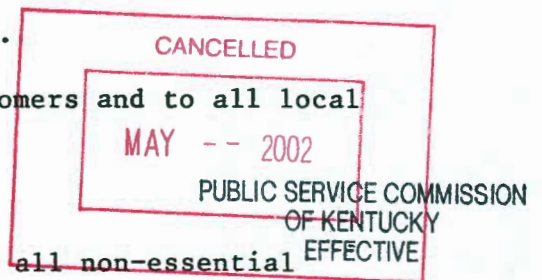
(a) Declare a Water Shortage Advisory.

(b) Provide proper notice to all customers and to all local news media.

(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 essential (Class 3) water use.



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BY: Stephan D. Bell
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B. Alert Stage:

(1) Criteria: A water alert shall be declared when the amount of treated water available is projected to be up to 10 % 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.

(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 \$3.00 per 1,000 gallons.

C. Emergency Stage:

- (1) Criteria: A Water Emergency shall be declared 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 level necessary to meet normal needs.

(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.

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- (h) Curtail entitlements to all wholesale customers by the same percentage as the projected shortage.
- (i) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an usage charge of \$7.00 per 1,000 gallons.

D. Rationing Stage:

1. Criteria: Treated water available is greater than 40 % below demand or raw water supplies are below the level necessary to meet essential needs, and in the opinion of Western Fleming County water District, 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) Eliminate all water leaks.
 - (c) Provide proper notice to all customers and to all local news media.
 - (d) Prohibit all Class 3 and Class 2 uses of water.
 - (e) Curtail all commercial and industrial entitlement (except for 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 \$15.00 per 1,000 gallons.

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Section 8. Enforcement of Water Restriction. 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. If the utility official charged with implementation and enforcement of this Plan learns of any violation of any water restriction imposed, a written notice of the violation shall be affixed to the property where the violation occurred and mailed to the customer of record. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within 48 hours.

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- B. The notice will inform the customer of his or her right to appeal by requesting a hearing before the utility's designee. If a hearing is requested by the customer, he or she shall be given full opportunity to be heard before termination. The governing body shall make findings of fact and decide whether service should continue or terminate.
- C. 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.
- D. The excess usage charge billing provisions of this Plan shall not be put in effect if a county or city ordinance containing penalty provisions is in effect to assist enforcement of this Plan.

Section 9. Request for Exception.

- (a) Exception to water use restrictions: If compliance with any curtailment measure authorized herein would cause a customer to bear extraordinary hardship, that individual or entity may apply to the Western Fleming 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.
- (b) Exception to curtailment surcharge: Exceptions to excess use charges shall not be considered or granted.

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

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effect immediately
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BY: Stephan O. Bell
SECRETARY OF THE COMMISSION

APPENDIX A
WESTERN FLEMING COUNTY WATER DISTRICT

PROJECTED DEMAND WORKSHEET FOR _____
(month) (year)

The information below would be used to estimate projected demand for one (1) month.

Calculations are done at the beginning of each month.

Average use in _____ for the past 5 years: _____ gpd
(last month)

Average use in _____ for 2 years ago: _____ gpd
(last month)

Average use in _____ for 1 year ago: _____ gpd
(last month)

Average use in _____ for current year: _____ gpd
(last month)

Average use in _____ for the past 5 years _____ gpd
(this month)

Average use in _____ for 2 years ago: _____ gpd
(this month)

Average use in _____ for 1 year ago: _____ gpd
(this month)

Usage Notes: _____

Weather Notes: _____

Average projected use for _____ gpd
Without conservation measures:

With advisory conservation measures: _____ gpd
(reduction)

With alert conservation measures: _____ gpd
(more than reduction)

With emergency conservation measures: _____ gpd
(more than reduction)

With rationing conservation measures: _____ gpd
(more than reduction)

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JUL 11 2001 _____ gpd

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