

Office of Legal Services
500 Mero Street
Capital Plaza Tower
Frankfort, KY 40601
Telephone: (502) 564-2391
Facsimile: (502) 564-1079



RECEIVED

SEP 21 2006

PUBLIC SERVICE
COMMISSION

Fax

To: Linda Maddox	From: Catherine York
Fax: 502- 564-3460	Pages: (including cover)
Phone:	Date: 9/21/2006
Re: Answer/ Public Service Commission/ 2006-00365	CC:

Urgent For Review Please Comment Please Reply Please Recycle

● **Comments:**

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

In the Matter of:

SEP 21 2006

KENTUCKY DAM VILLAGE STATE)
RESORT PARK,)
KENTUCKY DEPARTMENT OF PARKS,)
COMMERCE CABINET)

PUBLIC SERVICE
COMMISSION

COMPLAINANT)

CASE NO. 2006-00365

V.)

NORTH MARSHALL WATER DISTRICT)

DEFENDANT)

KENTUCKY DAM VILLAGE STATE RESORT PARK'S ANSWERS TO
COMMISSION STAFF'S FIRST DATA REQUEST

Comes now Complainant, Kentucky Dam Village State Resort Park, by Counsel, and for its response to Commission Staff's First Data Request states as follows:

1. Provide a copy of all written agreements or contracts for water service between Kentucky Dam Village (KDV) and North Marshall Water District ("North Marshall").

ANSWER: No written agreements or contracts exist. Beth Yates, 270-362-4271, PO Box 69, Hwy 68, Gilbertsville, Kentucky 42044, may be contacted regarding this and all subsequent questions.

2. Provide all documents (correspondence, agreements, contracts, minutes, etc.) that are related to the procurement of utility service from North Marshall.

ANSWER: No written documents exist in the possession of KDV. North Marshall is the only water utility service available to KDV.

3. State whether the Kentucky Department of Parks purchases utility services from other public utilities. If, yes, describe in detail the payment arrangements for those services.

ANSWER: Yes. To our knowledge, no written agreements exist for utility service at any State Park. Each individual park receives the bill and makes the request for payment through eMars. Bernard "Deck" Decker, 502-564-8110 x 320, 500 Mero Street, CPT 11th Floor, Frankfort, Kentucky 40601, may be contacted regarding this

question. Shirley Black, 502-564-8110 x 339, 500 Mero Street, CPT 11th Floor, Frankfort, Kentucky 40601, may also be contacted regarding this question.

4. Provide a copy of the bills for water service to Kentucky Dam Village that the Department of Parks received in April and May 2006.

ANSWER: See attached. The April bill is marked as 4A, the late notice is marked as 4B, and the May/June bill is marked as 4C.

5. State the date when the Department of Parks submitted payment to North Marshall for the bills for water service to Kentucky Dam Village rendered in April and May 2006.

ANSWER: The April bill was received on April 28, 2006, a check was requested on May 5, 2006 and mailed on May 9, 2006. The May/June bill was received on June 26, 2006, payment was requested on July 5, 2006 and was erroneously sent to an incorrect account of North Marshall. Payment cleared on July 24, 2006.

6. State whether, since January 1, 1996, a public utility has billed the Department of Parks a late fee for failure to timely pay a bill. If yes, state for each instance, the date of the billing, the public utility that issued the bill, the amount of the late fee and the late fee as a percentage of the billed amount.

ANSWER: At this time, Complainant only recalls one late fee being assessed for a 12/11/05 water bill that was accidentally underpaid. The late fee was \$16.58, 10% of the amount underpaid.

7. State whether Department of Parks has ever requested that North Marshall enter into a special contract that provides for late payment terms consistent with KRS 45.453. If yes, describe these requests and North Marshall's response.

ANSWER: No request was made.

8. State whether North Marshall has ever discussed with the Department of Parks a special contract for water service to Kentucky Dam Village that would contain payment terms consistent with KRS 45.453.

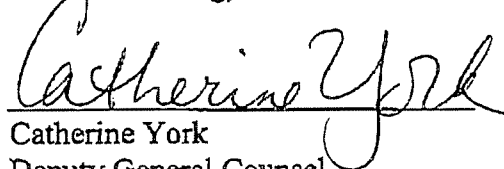
ANSWER: No discussions have taken place.

9. State whether the Department of Parks takes the position that the late penalty provisions of Finance Cabinet Policy FAP 110-10-00 are incorporated by reference into any contract that it has with North Marshall.

ANSWER: While no written contract exists. Complainant takes the position that FAB 110-10-00(17) applies to the transactions between KDV and North Marshall.

Prepared by:

COMMERCE CABINET
Ellen F. Benzing, General Counsel



Catherine York
Deputy General Counsel
Commerce Cabinet
500 Mero Street
CPT 24th Floor
Frankfort, Kentucky 40601

CERTIFICATE OF SERVICE

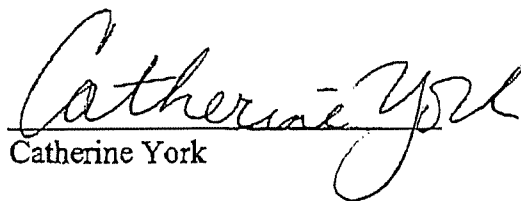
I hereby certify that a true and correct copy of the foregoing was mailed to

Hon. Jason F. Darnall
Assistant County Attorney
80 Judicial Drive-Unit 130
Benton, Kentucky 42025

Original to:

Beth O'Donnell
Executive Director
Public Service Commission
PO Box 615
Frankfort, KY 40602

this 21st day of September, 2006.


Catherine York

FROM : KY DAM VILLAGE

FAX NO. : 2703628747

Sep. 12 2006 10:46AM P7

North Marshall Water District
PO Box 850 • Benton, KY 42025 Tel: 270-527-3208

PO BOX 850 BENTON KY 42025

FIRST CLASS MAIL
U.S. POSTAGE PAID
BENTON, KY 42025
PERMIT NO 18

ACCOUNT		102479	4/5/06		
SERVICE AT		RIDING STABLE		006	
CODE	PRESENT	PREVIOUS	USAGE	CHARGES	
WAT	441400	441400		10.78	
TXU	UTILITY TAX			.32	
CLASS		AMOUNT DUE AFTER DUE DATE	DUE DATE	PAY THIS AMOUNT	
C		12.18	5/12/06	11.10	

ACCOUNT	102479	DUE DATE	5/12/06
AMOUNT DUE AFTER DUE DATE	12.18	PENALTY AFTER DUE DATE	1.08
		PAY THIS AMOUNT	
		11.10	

RECEIVED

APR 28 2005

PLEASE RETURN THE SMALL PORTION OF BILL WITH YOUR PAYMENT.

KY DAM VILLAGE SRP

AUTOCR ** B001
KY DAM VILLAGE STATE PK
PO BOX 89
GILBERTSVILLE KY 42044-0069



North Marshall Water District
PO Box 850 • Benton, KY 42025 Tel: 270-527-3208

PO BOX 850 BENTON KY 42025

FIRST CLASS MAIL
U.S. POSTAGE PAID
BENTON, KY 42025
PERMIT NO 18

ACCOUNT		102480	4/6/06		
SERVICE AT		COMPOUND INTEREST MTRS		006	
CODE	PRESENT	PREVIOUS	USAGE	CHARGES	
WAT	16017800	11154300	4192700	9445.80	
TXU	UTILITY TAX			283.38	
CLASS		AMOUNT DUE AFTER DUE DATE	DUE DATE	PAY THIS AMOUNT	
C		10673.75	5/12/06	8729.17	

ACCOUNT	102480	DUE DATE	5/12/06
AMOUNT DUE AFTER DUE DATE	10673.75	PENALTY AFTER DUE DATE	844.58
		PAY THIS AMOUNT	
		8729.17	

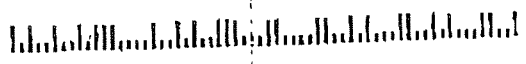
RECEIVED

APR 28 2005

PLEASE RETURN THE SMALL PORTION OF BILL WITH YOUR PAYMENT.

KY DAM VILLAGE SRP

AUTOCR ** B001
KY DAM VILLAGE ST. PARK
PO BOX 89
GILBERTSVILLE KY 42044-0089



4A(1)

FROM : KY DAM VILLAGE

FAX NO. : 2703628747

Sep. 12 2006 10:47AM PB

North Marshall Water District
 PO Box 850 • Benton, KY 42025 Tel: 270-527-3208

ACCOUNT 102481 4/4/08
 SERVICE AT COOKS RESIDENCE 008

CODE	PRESENT	PREVIOUS	USAGE	CHARGES
WAT	21100	17300	3800	19.14
TXU	UTILITY TAX			.50

RECEIVED

APR 28 2005

PLEASE RETURN THE SMALL PORTION
 OF BILL WITH YOUR PAYMENT.

KY DAM VILLAGE SRP

CLASS	AMOUNT DUE AFTER DUE DATE	DUPLICATE DATE	PAY THIS AMOUNT
C	21.62	5/12/06	19.71

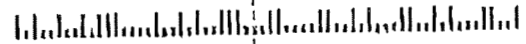
P&DC 420 04/25/08 15341

FIRST CLASS MAIL
 U.S. POSTAGE PAID
 BENTON, KY 42025
 PERMIT NO 18

ACCOUNT 102481 DUE DATE 5/12/06

AMOUNT DUE AFTER DUE DATE	PENALTY AFTER DUE DATE	PAY THIS AMOUNT
21.62	1.91	19.71

AUTOCR ** B001
 KY DAM VILLAGE ST PARK
 PO BOX 69
 GILBERTSVILLE KY 42044-0069



North Marshall Water District
 PO Box 850 • Benton, KY 42025 Tel: 270-527-3208

ACCOUNT 102477 4/6/08
 SERVICE AT CAMPGROUND METER 006

CODE	PRESENT	PREVIOUS	USAGE	CHARGES
WAT	13044500	13044500		39.99
TXU	UTILITY TAX			1.20

RECEIVED

APR 28 2005

PLEASE RETURN THE SMALL PORTION
 OF BILL WITH YOUR PAYMENT.

KY DAM VILLAGE SRP

CLASS	AMOUNT DUE AFTER DUE DATE	DUPLICATE DATE	PAY THIS AMOUNT
C	45.19	5/12/06	41.19

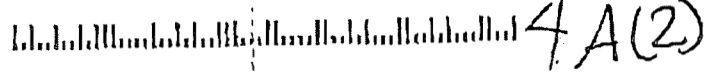
P&DC 420 04/25/08 15341

FIRST CLASS MAIL
 U.S. POSTAGE PAID
 BENTON, KY 42025
 PERMIT NO 18

ACCOUNT 102477 DUE DATE 5/12/06

AMOUNT DUE AFTER DUE DATE	PENALTY AFTER DUE DATE	PAY THIS AMOUNT
45.19	4.00	41.19

AUTOCR ** B001
 KY DAM VILLAGE STATE PK
 PO BOX 69
 GILBERTSVILLE KY 42044-0069



FROM : KY DAM VILLAGE

FAX NO. : 2703628747

Sep. 12 2006 10:46AM P6

North Marshall Water District
PO Box 850 • Benton, KY 42025 Tel: 270.927.3200

ACCOUNT	102480	1	4/8/06
SERVICE AT	COMPOLIND/TURBO MTRS	006	
ARR	BAL FORWARD	9728.17	
LTF	LATE FEE	944.58	
CHK		-9728.17	
CLASS	PAID RE DATE	5/30/06	
C			PAY THIS AMOUNT 944.58

TERMINATION NOTICE

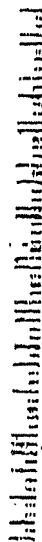
102480

5/30/06

944.58

944.58

** B001
KY DAM VILLAGE ST. PARK
PO BOX 69
GILBERTSVILLE KY 42044-0069



B001

4.B

FROM : KY DAM VILLAGE

FAX NO. : 2703628747

Sep. 12 2006 10:44AM P2

North Marshall Water District
PO Box 850 Benton, KY 42025 Tel: 270-527-3208

ACCOUNT	102477	8/21/06	
SERVICE AT	CAMPGROUND METER 006		
ARR	BAL FORWARD		4.00
WAT	13832200	13044500	787700
TXU	UTILITY TAX		1772.93
			53.19
RECEIVED			
OFFICE CLOSED JULY 4TH			
JUN 26 2006			
KY DAM VILLAGE STATE PARK			
CLASS	AMOUNT DUE	DATE	PAY THIS AMOUNT
C	2007.41	7/12/06	1830.12

RETURN THIS PORTION WITH PAYMENT

FIRST CLASS MAIL
U.S. POSTAGE PAID
BENTON, KY 42025
PERMIT NO 18

ACCOUNT	102477	DUE DATE	7/12/06
AMOUNT DUE	2007.41	PENALTY AFTER DATE	177.29
PAY THIS AMOUNT	1830.12		

for 527-3039
Sarah
OFFICE CLOSED JULY 4TH
JUN 26 2006

AUTOCR ** B001
KY DAM VILLAGE STATE PK
PO BOX 69
GILBERTSVILLE KY 42044-0069

GAX 0600000897-1
pending
527-1

North Marshall Water District
PO Box 850 Benton, KY 42025 Tel: 270-527-3208

ACCOUNT	102478	8/18/06	
SERVICE AT	RIDING STABLE 006		
ARR	BAL FORWARD		1.08
WAT	460700	441400	19300
TXU	UTILITY TAX		53.24
			1.60
RECEIVED			
OFFICE CLOSED JULY 4TH			
JUN 26 2006			
KY DAM VILLAGE STATE PARK			
CLASS	AMOUNT DUE	DATE	PAY THIS AMOUNT
C	61.24	7/12/06	55.92

RETURN THIS PORTION WITH PAYMENT

FIRST CLASS MAIL
U.S. POSTAGE PAID
BENTON, KY 42025
PERMIT NO 18

ACCOUNT	102478	DUE DATE	7/12/06
AMOUNT DUE	61.24	PENALTY AFTER DATE	5.32
PAY THIS AMOUNT	55.92		

AUTOCR ** B001
KY DAM VILLAGE STATE PK
PO BOX 69
GILBERTSVILLE KY 42044-0069

502-564-1079



4 C(1)

FROM : KY DAM VILLAGE

FAX NO. : 2703629747

Sep. 12 2006 10:44AM P3

PO Box 850 Benton, KY 42025 Tel: 270-527-3208

ACCOUNT	102480	8/21/06		
SERVICE AT	COMPOUND/TURBO MTRS 006			
CODE	PRESENT	PREVIOUS	USAGE	CHARGES
ARR	BAL FORWARD			944.58
WAT	1797800	18017800	8589100	14673.88
TXU	UTILITY TAX			440.22
CLASS	C			
AMOUNT DUE	17528.07			
DUPLICATE DATE		7/12/06		
PAY THIS AMOUNT	18058.68			

RETURN THIS PORTION WITH PAYMENT

FIRST CLASS MAIL U.S. POSTAGE PAID BENTON, KY 42025 PERMIT NO 18

ACCOUNT	102480	DUPLICATE DATE	7/12/06
AMOUNT DUE	17528.07	PENALTY AFTER DUE DATE	1467.30
		PAY THIS AMOUNT	18058.68

RECEIVED

JUN 26 2006

OFFICE CLOSED JULY 4TH

KY DAM VILLAGE ST PARK

AUTOCR -- B001
KY DAM VILLAGE ST. PARK
PO BOX 89
GILBERTSVILLE KY 42044-0069



North Marshall Water District
PO Box 850 Benton, KY 42025 Tel: 270-527-3208

ACCOUNT	102481	8/18/06		
SERVICE AT	COOKS RESIDENCE 008			
CODE	PRESENT	PREVIOUS	USAGE	CHARGES
ARR	BAL FORWARD			1.81
WAT	35400	21100	14300	42.24
TXU	UTILITY TAX			1.27
CLASS	C			
AMOUNT DUE	49.54			
DUPLICATE DATE		7/12/06		
PAY THIS AMOUNT	49.42			

RETURN THIS PORTION WITH PAYMENT

FIRST CLASS MAIL U.S. POSTAGE PAID BENTON, KY 42025 PERMIT NO 18

ACCOUNT	102481	DUPLICATE DATE	7/12/06
AMOUNT DUE	49.54	PENALTY AFTER DUE DATE	4.22
		PAY THIS AMOUNT	45.42

RECEIVED

JUN 26 2006

OFFICE CLOSED JULY 4TH

KY DAM VILLAGE ST PARK

AUTOCR -- B001
KY DAM VILLAGE ST PARK
PO BOX 89
GILBERTSVILLE KY 42044-0069



40(2)

FROM : KY DAM VILLAGE

FAX NO. : 2703628747

Sep. 12 2006 10:45AM P4

PO Box 850 • Benton, KY 42025 Tel: 270-527-3208

ACCOUNT		102479	6/18/08
SERVICE AT		RIDING STABLE	008
CODE	PRESENT	PREVIOUS	USAGE
ARR	BAL FORWARD		55.92
LTF	LATE FEE		5.32
TERMINATION NOTICE			
LAST DAY TO PAY JULY 26 @ 4:30 PM			
TURN OFFS 8:00 AM THURSDAY JULY 27			
CLASS	AMOUNT	DUE DATE	PAY THIS AMOUNT
C		7/26/06	61.24

TERMINATION NOTICE

FIRST CLASS MAIL
U.S. POSTAGE PAID
BENTON, KY 42025
PERMIT NO 18

ACCOUNT	102479	DUE DATE	7/26/08
AMOUNT PAID		PAY THIS AMOUNT	61.24



AUTOCR ** B001
KY DAM VILLAGE STATE PK
PO BOX 69
GILBERTSVILLE KY 42044-0069



North Marshall Water District

PO Box 850 • Benton, KY 42025 Tel: 270-527-3208

ACCOUNT		102481	6/18/08
SERVICE AT		COOKS RESIDENCE	008
CODE	PRESENT	PREVIOUS	USAGE
ARR	BAL FORWARD		45.42
LTF	LATE FEE		4.22
TERMINATION NOTICE			
LAST DAY TO PAY JULY 26 @ 4:30 PM			
TURN OFFS 8:00 AM THURSDAY JULY 27			
CLASS	AMOUNT	DUE DATE	PAY THIS AMOUNT
C		7/26/06	49.64

TERMINATION NOTICE

FIRST CLASS MAIL
U.S. POSTAGE PAID
BENTON, KY 42025
PERMIT NO 18

ACCOUNT	102481	DUE DATE	7/26/08
AMOUNT PAID		PAY THIS AMOUNT	49.64



AUTOCR ** B001
KY DAM VILLAGE ST PARK
PO BOX 69
GILBERTSVILLE KY 42044-0069



4C(3)

FROM : KY DAM VILLAGE

FAX NO. : 2703628747

Sep. 12 2006 10:45AM P5

PO Box 850 ♦ Benton, KY 42025 Tel: 270-527-3208

ACCOUNT		102477		6/21/08	
SERVICE AT CAMPGROUND METER 006					
CODE	PRESENT	PREVIOUS	USAGE	CHARGES	
ARR	BAL FORWARD			1930.12	
LTF	LATE FEE			177.29	
LAST DAY TO PAY JULY 26 @ 4:30 PM				TURN OFFS 8:00 AM THURSDAY JULY 27	
CLASS	AMOUNT DUE	DATE	PAY THIS AMOUNT		
C		7/26/06	2007.41		

TERMINATION NOTICE

FIRST CLASS MAIL
U.S. POSTAGE PAID
BENTON, KY 42025
PERMIT NO 19

ACCOUNT	102477	DUPLICATE DATE	7/26/06
AMOUNT DUE		PAY THIS AMOUNT	2007.41



AUTOCR ** B001
KY DAM VILLAGE STATE PK
PO BOX 69
GILBERTSVILLE KY 42044-0069

North Marshall Water District

PO Box 850 ♦ Benton, KY 42025 Tel: 270-527-3208

ACCOUNT		102480		8/21/08	
SERVICE AT COMPOUND/TURBO MTRS 006					
CODE	PRESENT	PREVIOUS	USAGE	CHARGES	
ARR	BAL FORWARD			18058.88	
LTF	LATE FEE			1467.39	
LAST DAY TO PAY JULY 26 @ 4:30 PM				TURN OFFS 8:00 AM THURSDAY JULY 27	
CLASS	AMOUNT DUE	DATE	PAY THIS AMOUNT		
C		7/26/06	17528.07		

TERMINATION NOTICE

FIRST CLASS MAIL
U.S. POSTAGE PAID
BENTON, KY 42025
PERMIT NO 19

ACCOUNT	102480	DUPLICATE DATE	7/26/06
AMOUNT DUE		PAY THIS AMOUNT	17528.07



AUTOCR ** B001
KY DAM VILLAGE ST. PARK
PO BOX 69
GILBERTSVILLE KY 42044-0069

4C(4)