

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

SEP 25 2006

In the Matter of:

PUBLIC SERVICE
COMMISSION

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

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.

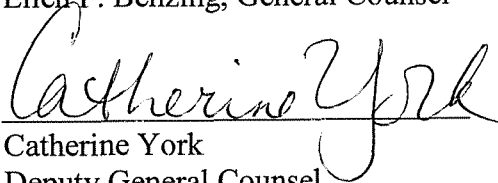
ANSWER: No discussions have taken place.

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

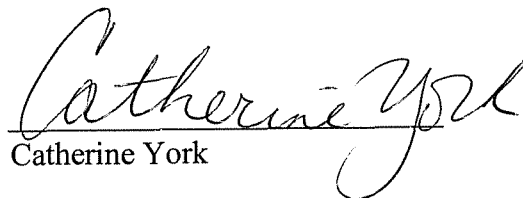
I hereby certify that a true and correct copy of the foregoing was mailed to

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

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

| 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 | | C | AMOUNT DUE AFTER DUE DATE | 12.18 |
| | | | DUE DATE | 5/12/06 |
| | | | PAY THIS AMOUNT | 11.10 |

PAIDUCAH KY P.O. BOX 420 04/25/06 15341

| | | | | | |
|---------------------------|--|--------|------------------------|--|---------|
| 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 |

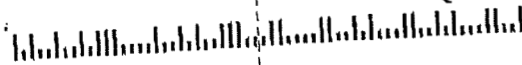
RECEIVED

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 69
GILBERTSVILLE KY 42044-0069



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

| ACCOUNT | | 102480 | 4/6/06 | |
|------------------------------------|-------------|----------|---------------------------|----------|
| SERVICE AT COMPOUND/TURBO MTRS 006 | | | | |
| CODE | PRESENT | PREVIOUS | USAGE | CHARGES |
| WAT | 16017800 | 11154300 | 4192700 | 9445.80 |
| TXU | UTILITY TAX | | | 283.37 |
| CLASS | | C | AMOUNT DUE AFTER DUE DATE | 10673.75 |
| | | | DUE DATE | 5/12/06 |
| | | | PAY THIS AMOUNT | 9729.17 |

PAIDUCAH KY P.O. BOX 420 04/25/06 15341

| | | | | | |
|---------------------------|--|----------|------------------------|--|---------|
| ACCOUNT | | 102480 | DUE DATE | | 5/12/06 |
| AMOUNT DUE AFTER DUE DATE | | 10673.75 | PENALTY AFTER DUE DATE | | 944.58 |
| | | | PAY THIS AMOUNT | | 9729.17 |

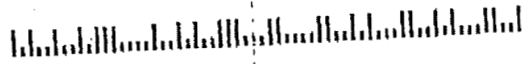
RECEIVED

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 69
GILBERTSVILLE KY 42044-0069



4A(1)

North Marshall Water District

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

BENTON KY P&DC 420 04/25/06 153#1

ACCOUNT 102481 4/4/06
SERVICE AT COOKS RESIDENCE 008

ACCOUNT 102481 DUE DATE 5/12/06

| CODE | PRESENT | PREVIOUS | USAGE | CHARGES |
|------|-------------|----------|-------|---------|
| WAT | 21100 | 17300 | 3800 | 19.14 |
| TXU | UTILITY TAX | | | .57 |

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

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

RECEIVED

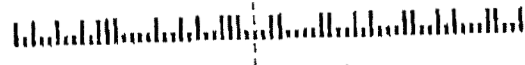
APR 28 2005

PLEASE RETURN THE SMALL PORTION OF BILL WITH YOUR PAYMENT.

KY DAM VILLAGE SRP

| CLASS | AMOUNT DUE AFTER DUE DATE | DUE DATE | PAY THIS AMOUNT |
|-------|---------------------------|----------|-----------------|
| C | 21.62 | 5/12/06 | 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

BENTON KY P&DC 420 04/25/06 153#1

ACCOUNT 102477 4/6/06
SERVICE AT CAMPGROUND METER 006

ACCOUNT 102477 DUE DATE 5/12/06

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

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

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

RECEIVED

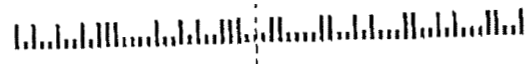
APR 28 2005

PLEASE RETURN THE SMALL PORTION OF BILL WITH YOUR PAYMENT.

KY DAM VILLAGE SRP

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

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



4A(2)

North Marshall Water District
PO Box 850 • Benton, KY 42025 Tel: 270-327-3268

| ACCOUNT | 102480 | 4/6/06 | | |
|------------|------------------------------|----------|-----------------|----------|
| SERVICE AT | COMPOUND/TURBO MTRS 006 | | | |
| CODE | PRESENT | PREVIOUS | USAGE | CHARGES |
| ARR | BAL FORWARD | | | 9729.17 |
| LTF | LATE FEE | | | 944.58 |
| CHK | | | | -9729.17 |
| CLASS | AMOUNT DUE METER DUE DATE | DUE DATE | PAY THIS AMOUNT | |
| C | | 5/30/06 | 944.58 | |

TERMINATION NOTICE

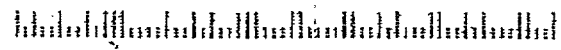
TERMINATION NOTICE
FIRST CLASS MAIL
U.S. POSTAGE PAID
BENTON, KY 42025
PERMIT NO 18

| | | | |
|------------------------------|--------|--------------------------|---------|
| ACCOUNT | 102480 | DUE DATE | 5/30/06 |
| AMOUNT DUE AFTER DUE DATE | | PENALTY FEE LATE RATE | |
| | | PAY THIS AMOUNT | |
| | | 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

RETURN THIS PORTION
WITH PAYMENT

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

| ACCOUNT | | 102477 | 6/21/06 | |
|---------------------------------|-------------|----------|-----------------|---------|
| SERVICE AT CAMPGROUND METER 006 | | | | |
| CODE | PRESENT | PREVIOUS | USAGE | CHARGES |
| ARR | BAL FORWARD | | | 4.00 |
| WAT | 13832200 | 13044500 | 787700 | 1772.93 |
| TXU | UTILITY TAX | | | 53.19 |
| CLASS | | C | PAY THIS AMOUNT | |
| AMOUNT DUE | | 2007.41 | 7/12/06 | |
| PENALTY AFTER DUE DATE | | | 1830.12 | |

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

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

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

~~PRE 060000~~

6AX 0600000897
pending

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

RETURN THIS PORTION
WITH PAYMENT

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

| ACCOUNT | | 102479 | 6/16/06 | |
|------------------------------|-------------|----------|-----------------|---------|
| SERVICE AT RIDING STABLE 006 | | | | |
| CODE | PRESENT | PREVIOUS | USAGE | CHARGES |
| ARR | BAL FORWARD | | | 1.08 |
| WAT | 460700 | 441400 | 19300 | 53.24 |
| TXU | UTILITY TAX | | | 1.60 |
| CLASS | | C | PAY THIS AMOUNT | |
| AMOUNT DUE | | 61.24 | 7/12/06 | |
| PENALTY AFTER DUE DATE | | | 55.92 | |

| | | | |
|-----------------|--------|------------------------|---------|
| ACCOUNT | 102479 | DUE DATE | 7/12/06 |
| AMOUNT DUE | 61.24 | PENALTY AFTER DUE DATE | 5.32 |
| PAY THIS AMOUNT | | 55.92 | |

RECEIVED
OFFICE CLOSED JULY 4TH
JUN 26 2006

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. : 2703628747

Sep. 12 2006 10:44AM P3

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

RETURN THIS PORTION WITH PAYMENT

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

| | | | | | |
|----------------------------|---------------------------|----------|-----------------|----------|--------------------------|
| ACCOUNT | 102480 | 6/24/06 | SERVICE AT | | COMPOUND/TURBO MTRS -006 |
| CODE | PRESENT | PREVIOUS | USAGE | CHARGES | |
| ARR | BAL FORWARD | | | 944.58 | |
| WAT | 17977600 | 16017600 | 8569100 | 14673.88 | |
| TXU | UTILITY TAX | | | 440.22 | |
| RECEIVED | | | | | |
| JUN 26 2006 | | | | | |
| OFFICE CLOSED JULY 4TH | | | | | |
| KY DAM VILLAGE \$RP | | | | | |
| CLASS | AMOUNT DUE AFTER DUE DATE | DUE DATE | PAY THIS AMOUNT | | |
| C | 17826.07 | 7/12/06 | 18058.88 | | |



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

RETURN THIS PORTION WITH PAYMENT

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

| | | | | | |
|----------------------------|---------------------------|----------|-----------------|---------|----------------------|
| ACCOUNT | 102481 | 8/16/06 | SERVICE AT | | COOKS RESIDENCE -006 |
| CODE | PRESENT | PREVIOUS | USAGE | CHARGES | |
| ARR | BAL FORWARD | | | 1.91 | |
| WAT | 35400 | 21100 | 14300 | 42.24 | |
| TXU | UTILITY TAX | | | 1.27 | |
| RECEIVED | | | | | |
| JUN 26 2006 | | | | | |
| OFFICE CLOSED JULY 4TH | | | | | |
| KY DAM VILLAGE \$RP | | | | | |
| CLASS | AMOUNT DUE AFTER DUE DATE | DUE DATE | PAY THIS AMOUNT | | |
| C | 49.64 | 7/12/06 | 45.42 | | |



AUTOCR ** B001
KY DAM VILLAGE ST PARK
PO BOX 69
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

RETURN TO FIRST CLASS MAIL
WITH PAYMENT
**TERMINATION
NOTICE**

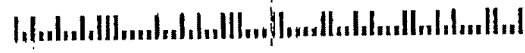
FIRST CLASS MAIL
U.S. POSTAGE PAID
BENTON, KY 42025
PERMIT NO 18

| ACCOUNT | | 102479 | 6/16/06 | |
|-------------------------------------------------------------------------|------------------------------|---------------|-----------|-----------------|
| SERVICE AT | | RIDING STABLE | 006 | |
| CODE | PRESENT | PREVIOUS | USAGE | CHARGES |
| 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 AFTER DUE DATE | DUPLICATE | DUPLICATE | PAY THIS AMOUNT |
| C | | | 7/26/06 | 61.24 |

| | | | |
|------------------------------|--------|-----------------|---------|
| ACCOUNT | 102479 | DUPLICATE | 7/26/06 |
| AMOUNT DUE AFTER DUE DATE | | 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

RETURN THIS PORTION
P&T WITH PAYMENT
**TERMINATION
NOTICE**

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

| ACCOUNT | | 102481 | 6/16/06 | |
|-------------------------------------------------------------------------|------------------------------|-----------------|-----------|-----------------|
| SERVICE AT | | COOKS RESIDENCE | 006 | |
| CODE | PRESENT | PREVIOUS | USAGE | CHARGES |
| 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 AFTER DUE DATE | DUPLICATE | DUPLICATE | PAY THIS AMOUNT |
| C | | | 7/26/06 | 49.64 |

| | | | |
|------------------------------|--------|-----------------|---------|
| ACCOUNT | 102481 | DUPLICATE | 7/26/06 |
| AMOUNT DUE AFTER DUE DATE | | 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 | 6/21/06 |
| SERVICE AT | CAMPGROUND METER 006 | |
| CODE | PRESENT | PREVIOUS |
| ARR | BAL FORWARD | 1830.12 |
| LTF | LATE FEE | 177.29 |
| CLASS | AMOUNT DUE AFTER DUE DATE | 7/26/06 |
| C | | PAY THIS AMOUNT 2007.41 |

TERMINATION NOTICE

ACCOUNT: 102477
DUE DATE: 7/26/06

PAY THIS AMOUNT: 2007.41



LAST DAY TO PAY JULY 26 @ 4:30 PM
TURN OFFS 8:00 AM THURSDAY JULY 27

TERMINATION NOTICE

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



North Marshall Water District PADUCAH KY


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

| | | |
|------------|---------------------------|--------------------------|
| ACCOUNT | 102480 | 8/21/06 |
| SERVICE A) | COMPOUND/TURBOMTRS 006 | |
| CODE | PRESENT | PREVIOUS |
| ARR | BAL FORWARD | 16058.68 |
| LTF | LATE FEE | 1467.39 |
| CLASS | AMOUNT DUE AFTER DUE DATE | 7/26/06 |
| C | | PAY THIS AMOUNT 17526.07 |

TERMINATION NOTICE

ACCOUNT: 102480
DUE DATE: 7/26/06

PAY THIS AMOUNT: 17526.07



LAST DAY TO PAY JULY 26 @ 4:30 PM
TURN OFFS 8:00 AM THURSDAY JULY 27

TERMINATION NOTICE

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



4C(4)



COMMERCE CABINET
Capital Plaza Tower, 24th Floor
500 Metro Street
Frankfort, Kentucky 40601-1974

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

RECEIVED
SEP 25 2006
PUBLIC SERVICE
COMMISSION