

Dinsmore & Shohl LLP
ATTORNEYS

Edward T. Depp
502-540-2347
tip.depp@dinslaw.com

RECEIVED

OCT 29 2007

PUBLIC SERVICE
COMMISSION

October 29, 2007

VIA HAND-DELIVERY

Hon. Beth O'Donnell
Executive Director
Public Service Commission
211 Sower Blvd.
Frankfort, KY 40601

Re: *Application of Kentucky-American Water Company, a/k/a Kentucky American Water for Certificate of Convenience and Public Necessity Authorizing Construction of Kentucky River Station II ("KRS II"), Associated Facilities, and Transmission Line; Case No. 2007-00134*

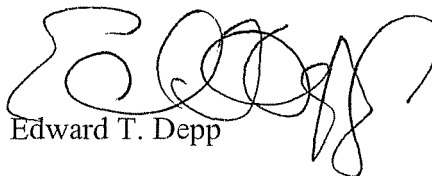
Dear Ms. O'Donnell:

We have enclosed, for filing with the Public Service Commission of the Commonwealth of Kentucky ("Commission"), an original and ten (10) copies, of the Louisville Water Company's Amended Responses to Kentucky-American Water Company's Initial Data Requests and the Commission's Order dated October 24, 2007.

Thank you, and if you have any questions, please call us.

Very truly yours,

DINSMORE & SHOHL LLP


Edward T. Depp

ETD/bmt
Enclosures

cc: All Parties of Record (w/enclosures)
 Barbara K. Dickens, Esq. (w/enclosures)
 John E. Selent, Esq. (w/o enclosures)

126451_1
38306-1

PUBLIC SERVICE
COMMISSION

1

;

;

2

1

1

1

2

RESPONSE: Please see the attached.

46. Provide the information request in Request 46 for each project recommended in the 2002-2021 Facilities Plan that has a projected or actual cost that is \$5,000,000.00 or greater. LWC shall provide the requested information in summary form for all projects in the 2002-2021 Facilities Plan regardless of projected or actual cost.

RESPONSE: LWC has been unable, despite its best efforts, to gather and produce the requested documents since the Commission's October 26, 2007 amended order requiring production of these documents on Monday, October 29, 2007. LWC is working to gather and produce any documents responsive to this request, and as indicated in the Motion for Extension of Time filed simultaneously herewith, it respectfully requests that the Commission permit LWC to file any documents responsive to this request no later than Monday, November 5, 2007.

53. Provide an electronic version of LWC's most recent cost-of-service study (in Excel or comparable format) with formulae intact.

RESPONSE: Please see the attached CD.

68. Provide all internal documents in which the use of the Interstate Highway 64 right-of-way/controlled access for a longitudinal installation of a water pipeline is discussed.

RESPONSE: Please see the attached.

117. Provide all documents that are related to any negotiations between Kentucky-American and LWC since January 1, 1994 regarding Kentucky-American's purchase of water or water-related services from LWC and that have not been previously filed in the record of this proceeding.

RESPONSE: LWC has been unable, despite its best efforts, to gather and produce the requested documents since the Commission's October 26, 2007 amended order requiring production of these documents on Monday, October 29, 2007. LWC is working to gather and produce any documents responsive to this request, and as indicated in the Motion for Extension

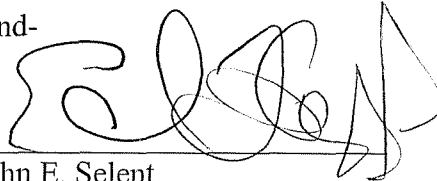
of Time filed simultaneously herewith, it respectfully requests that the Commission permit LWC to file any documents responsive to this request no later than Monday, November 5, 2007.

Respectfully submitted,



Barbara K. Dickens
Vice President and General Counsel
Louisville Water Company
550 South Third Street
Louisville, KY 40202
tel: (502) 569-0808
fax: (502) 569-0850

-and-



John E. Selent
Edward T. Depp
DINSMORE & SHOHL LLP
1400 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202
tel: (502) 540-2300
fax: (502) 585-2207

Counsel to Louisville Water Company

CERTIFICATION

I hereby certify that I have supervised the preparation of Louisville Water Company's amended responses to the data requests of Kentucky American Water Company and that the responses contained herein are true and accurate to the best of my knowledge, information, and belief formed after reasonable inquiry.

Gregory C. Heitzman,
President of Louisville Water Company

Date: _____

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by was served via first-class United States mail, sufficient postage prepaid, on the following individuals this 29th day of October, 2007:

David Jeffrey Barberie
Corporate Counsel
Lexington-Fayette Urban County Government
Department of Law
200 East Main Street
Lexington, KY 40507

David F. Boehm
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
2110 CBLD Building
Cincinnati, OH 45202

Thomas J. FitzGerald
Counsel & Director
Kentucky Resources Council, Inc.
Post Office Box 1070
Frankfort, KY 40602

Lindsey W. Ingram, III
Attorney at Law
Stoll Keenon Ogden PLLC
300 West Vine Street
Suite 2100
Lexington, KY 40507-1801

Kentucky River Authority
70 Wilkinson Boulevard
Frankfort, KY 40601


Michael L. Kurtz
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
2110 CBLD Building
Cincinnati, OH 45202

David Edward Spenard
Assistant Attorney General
Office of the Attorney General Utility & Rate
1024 Capital Center Drive
Suite 200
Frankfort, KY 40601-8204

Damon R. Talley
Attorney at Law
P.O. Box 150
Hodgenville, KY 42748-0150

A.W. Turner, Jr.
Attorney at Law
Kentucky-American Water Company aka Kentucky American Water
2300 Richmond Road
Lexington, KY 40502

John N. Hughes
124 West Todd Street
Frankfort, KY 40601



Counsel to Louisville Water Company

Vince Guenthner

From: Greg Heitzman
Sent: Friday, March 23, 2007 8:28 AM
To: Vince Guenthner
Subject: RE: Georgetown Mayor

keep me posted

From: Vince Guenthner
Sent: Fri 3/23/2007 6:01 AM
To: Greg Heitzman
Subject: Georgetown Mayor

I left a message for Mayor Karen Tingle-Sames on Wednesday morning but she has not returned my call. Here is a brief sketch of what I've been able to learn about her:

- Republican
- Three term city council member
- Defeated two term incumbent Mayor Everette Varney in November by fewer than 100 votes
- She ran on a platform of fiscal accountability and aggressive recruitment of new businesses
- She opposed Mayor Varney's proposal to implement impact fees on development



COL Mark D. Needham
Garrison Commander



HQ, US Army Garrison
1110-A Sixth Avenue

Fort Knox, KY 40121-5000

Ofc # (502) 624-2749 DSN: 464

Cell # (502) 821-3103 FAX # 624-5499

Mark.Needham@knox.army.mil

Rick Johnstone

574-8143

From: Tapp, Christy
Sent: Friday, March 23, 2007 4:52 PM
To: Johnstone, Rick
Subject: scanned business card...

Vince Guenthner

From: Ellen Kessler [ellen.kessler@georgetownky.gov]
Sent: Thursday, April 05, 2007 2:19 PM
To: Vince Guenthner
Subject: RE: Directions to Louisville Water Company

Thank you so much...I will have the Mayor there. Ellen

-----Original Message-----

From: Vince Guenthner [mailto:vguenthner@lwcky.com]
Sent: Thursday, April 05, 2007 2:11 PM
To: Ellen.Kessler@georgetownky.gov
Subject: Directions to Louisville Water Company

This is to confirm our meeting with Mayor Tingle-Sames on Tuesday April 10, 2007 at 10:00 a.m.
Representatives from Louisville Water Company will include:

Greg Heitzman, Senior Vice President for Operations
Jim Smith, Director of Engineer Planning
Vince Guenthner, Manager Government Affairs

Please disregard the directions I gave you over the phone I think the following is a little easier.

Louisville Water Company (LWC)
550 South Third Street
Louisville, KY 40202

Take I-64 west toward Louisville. As you approach the I-64/I-65 merger you will want to stay on I-64 by staying in the right lane. Take I-64 all the way to the Third Street/River Road Exit (exit 5-B). Once on the ramp get into the left lane of the ramp. At the bottom of the ramp you want to go straight. Once you pass River Road you are on Third Street. Stay on Third Street until you reach LWC headquarters. You will pass the following streets:

Main
Market
Jefferson
Muhammad Ali
Guthrie

LWC's parking garage is attached to our corporate headquarters. The garage and office building are located on the right between Guthrie and Chestnut. Once you pass Guthrie the LWC parking garage is the very next entrance on the right. Park in visitor parking on the lower level.

Walk in the lobby and ask the guard for me.

If you have any questions, please call or email me.

Vince Guenthner
Manager, Government Affairs
502-569-3640
502-533-5014 (cell)

Vince Guenthner

From: Greg Heitzman
Sent: Monday, April 16, 2007 10:48 AM
To: Patti Kaelin
Cc: Vince Guenthner; Jim Smith
Subject: Shelby Co Trans Mtg

Pls get the meeting info to Vince, so he can advise the Georgetown Mayor's office. I'll advise David Billings. You take care of NSWCD, WSWD, and Jim Shelbyville.

Greg C. Heitzman, P.E.
Sr. Vice President of Operations
Louisville Water Company
550 S Third Street
Louisville, KY 40202
502-569-3681
e-mail: gheitzman@lwcky.com

Vince Guenthner

From: Vince Guenthner**Sent:** Tuesday, June 05, 2007 5:08 PM**To:** Greg Heitzman; Jim Smith

FYI,

Following are brief bios on the Mayor and County Judge.

Thomas L. Hardesty, Mayor of Shelbyville

Mayor Thomas L. Hardesty obtained an Associate of Arts Degree in Law Enforcement from Eastern Kentucky University in 1972. He served in the Kentucky Air National Guard from 1970-1976. Mayor Hardesty served Shelbyville as Council member for 23 years. He retired from Kentucky Utilities Company after 23 years of service. He was elected Mayor in May of 2002 and took office on January 1, 2003.

During his first year as Mayor he has continued Shelbyville's push towards economic development, while keeping in mind the desire to maintain its small town atmosphere. Shelbyville is one of the fastest growing cities in Kentucky and part of the reason for that is reflected in the title of our Shelbyville song - "Good Land, Good Living, and Good People".

Rob Rothenburger**Judge Executive At a glance****Experience****County Judge-Executive**

2003-present

Shelby County Fiscal Court, Shelbyville, Ky

- Executive and Administrative Duties
- Financial Administration
- Appointment of County Employees, Boards and Commissions

Professional Affiliations

- Chairman, KIPDA Regional Planning Council (Kentuckiana Regional Planning and Development Agency)
- Chairman, KIPDA Citizens Corp Council
- Vice-Chair, KIPDA Regional Transportation Council
- Chairman, Kentucky Board of Emergency Medical Services
- Commissioner, Kentucky Fire Commission
- Commissioner, Kentucky Emergency Response Commission
- Member, Ky. Dept. of Homeland Security Training Consortium
- Member, Shelby County Industrial Foundation
- Member, North Central Health District

Community Involvement

Member of the following organizations:

- Church of the Annunciation Catholic Parish
- Bagdad Volunteer Fire Department

	<ul style="list-style-type: none"> • Shelby County Cattleman's Association • Shelbyville Kiwanis Club • Shelbyville Lions Club • Bagdad Ruritan Club • Shelby County Health Department Board • Shelby County Extension Board • Shelbyville Fountain Committee • Shelby Development Board • Shelby Development Foundation • Shelby County Fair Board • Shelby County Chamber of Commerce • Shelby County Local Emergency Planning Committee • Shelby County Farm Bureau • Shelby County Republican Party <p>Graduate, Leadership Shelby</p>
	<p>Firefighter/Fire Captain/Fire Chief 1988-2001 Shelbyville Fire Department, Shelbyville, Ky</p> <ul style="list-style-type: none"> • Suppression and prevention activities • Fire department planning, budgeting • Administration and organization
	<p>Paramedic 1983-1988 Jefferson Co. EMS, Louisville, Ky</p> <ul style="list-style-type: none"> • Provided advanced life support to the critically ill or injured • Served as Field Training Officer for new paramedics • Member of the Jefferson County Disaster Response Team
	<p>Emergency Medical Technician 1978-1983 Shelby Co. EMS, Shelbyville, Ky</p> <ul style="list-style-type: none"> • Provided basic emergency medical care to the sick and injured
Education	<p>1991 Fire Safety Engineering and Technology, AS 1979 Emergency Medical Care, AA</p>

Vince Guenthner

From: Greg Heitzman
Sent: Wednesday, June 13, 2007 12:04 PM
To: Patti Kaelin
Cc: Jim Smith; Vince Guenthner
Subject: RE: phone numbers

Called both, left msg for Shelby Judge Rothenberger, talked to Darrell, and left msg for Deputy Judge Rusty Newton.

Darrell is fine with our approach, as of now, we will not attend, unless either Judge or Deputy Judge calls me back to attend.

Jim, pls be on standby, for last minute attendance.

Greg C. Heitzman, P.E.
Sr. Vice President of Operations
Louisville Water Company
550 S Third Street
Louisville, KY 40202
502-569-3681
e-mail: gheitzman@lwcky.com

-----Original Message-----

From: Patti Kaelin
Sent: Tuesday, June 12, 2007 2:03 PM
To: Greg Heitzman
Cc: Jim Smith
Subject: phone numbers

Shelby Co Judge Rob Rothenberger
633-1220 (office)

Darrell Dees
220-0161 (cell)

10/19/2007

Vince Guenthner

From: Greg Heitzman
Sent: Friday, July 06, 2007 8:59 AM
To: Vince Guenthner
Subject: FW: Presentation at the LFUCG Work Session - July 10, 2007
Importance: High

Pls call these folks, and let them know I've asked you to call them.

Mayor Jim Newberry at 859-608-6004 and advise him we have his 5 points, and ask him if there is any other expectation.

Linda Gordon, 859-258-1745 (home) Council member who proposed the resolution, and provided us the list of council questions. She wants to chat about the Tuesday mtg.

Mike Heitz at 456-8130, about RRCC property.

I'll try to forward you the v-m's

Greg C. Heitzman, P.E.
Sr. Vice President of Operations
Louisville Water Company
550 S Third Street
Louisville, KY 40202
502-569-3681
e-mail: gheitzman@lwcky.com

Vince Guenthner

From: Greg Heitzman
Sent: Thursday, July 05, 2007 12:25 AM
To: Melynda Milburn
Cc: Vince Guenthner
Subject: RE: Scanned document <2 pages ~75 KB> -- 7/3/2007 4:26:18 PM

Thank you for the letter. This will help shape our presentation to assure we maximize the use of time of the Council. Our presentation will address these issue and we will be available for questions to elaborate on any of these elements.

Greg C. Heitzman, P.E.
Sr. Vice President of Operations
Louisville Water Company
550 S Third Street
Louisville, KY 40202
502-569-3681
e-mail: gheitzman@lwcky.com

-----Original Message-----

From: Melynda Milburn [mailto:mmilburn@lfucg.com]
Sent: Tuesday, July 03, 2007 4:55 PM
To: Greg Heitzman; Millie Durrett
Subject: Scanned document <2 pages ~75 KB> -- 7/3/2007 4:26:18 PM

<<Letter - LWC.pdf>>

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Lexington-Fayette Urban County Council

Jim Gray
Vice Mayor

Linda Gorton
At-Large Member

Chuck Ellinger II
At-Large Member

Andrea James
1st District

Tom Blues
2nd District

Dick DeCamp
3rd District

Julian Beard
4th District

David B. Stevens
5th District

Kevin O. Stinnett
6th District

K. C. Crosbie
7th District

George G. Myers
8th District

Jay McChord
9th District

Don Blevins
10th District

Richard P. Moloney
11th District

Ed Lane
12th District

July 3, 2007

435 South Third St.
Louisville, KY 40202

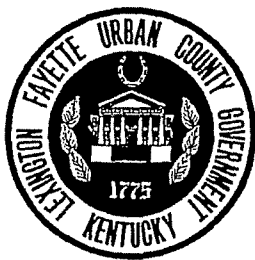
Dear Mr. Heitzman:

There is an interest within Fayette County to discuss the possibilities of an I-64 pipeline to carry water from Louisville to Lexington. On June 19th, 2007, the Lexington Fayette Urban County Council voted to ask the Louisville Water Company to make a presentation regarding this possibility. Council Members are particularly interested in learning whether this potential water supply source would be cost effective for the rate payers.

In order to give some structure to the presentation, I have solicited questions from my Council colleagues. It has been suggested that the presentation be simple in delivery for those who may not be well-versed on the previous water issue. The following are the submitted questions:

- How large of an aqueduct (pipe) is necessary to supply Central Kentucky?
- How will the price of water be determined?
- How long would it take to build the pipeline and be in operation?
- Has Louisville Water Company been talking with other communities about water supply? Are you able to say which communities?
- What would be the guaranteed water capacity versus the committed water capacity to Lexington?
- Who will pay for the extension of a pipeline to Louisville?
- What is your capacity for those you serve and is your planned capacity growing (10%, 20%, 30%) over the next 25-30 years?
- What is the feasibility of this project? Can it actually be done on the north side of I-64, with approval to use the State Right of Way?
- What is the comparison to alternatives in terms of reliability?
- What would be the potential cost to consumers?





Lexington-Fayette Urban County Council

Jim Gray
Vice Mayor

Linda Gorton
At-Large Member

Chuck Ellinger II
At-Large Member

Andrea James
1st District

Tom Blues
2nd District

Dick DeCamp
3rd District

Julian Beard
4th District

David B. Stevens
5th District

Kevin O. Stinnett
6th District

K. C. Crosbie
7th District

George G. Myers
8th District

Jay McChord
9th District

Don Blevins
10th District

Richard P. Moloney
11th District

Ed Lane
12th District

- What would be the effects on those who are our regional partners in the Bluegrass Regional Water Commission?
- What is the potential development impact along a Louisville to Lexington pipeline route?
- What are potential downsides?

Many thanks for your willingness to make this presentation on July 10, 2007. Our meeting begins at 3:00 PM in the Council Chamber at 200 East Main Street. We look forward to meeting with you.

Sincerely,

Linda Gorton, RN
Council Member At-Large

CC: Mayor
Council Members
Don Kelly
Charles Martin
Rebecca Langston



Vince Guenthner

From: Vince Guenthner
Sent: Friday, July 06, 2007 10:50 AM
To: Greg Heitzman
Subject: RE: Presentation at the LFUCG Work Session - July 10, 2007

I called Mayor Newberry and got a voice mail. I left a message saying that we got his points and we would address each one. I also let him know that he can call me if he wants us to address more.

I called CW Gordon. I assured her that we got her questions and we would be prepared to address each one

I called Mike Heitz and got his assistants voice mail and left a message for Mike to call me

-----Original Message-----

From: Greg Heitzman
Sent: Friday, July 06, 2007 8:59 AM
To: Vince Guenthner
Subject: FW: Presentation at the LFUCG Work Session - July 10, 2007
Importance: High

Pls call these folks, and let them know I've asked you to call them.

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Linda Gordon, 859-258-1745 (home) Council member who proposed the resolution, and provided us the list of council questions. She wants to chat about the Tuesday mtg.

Mike Heitz at 456-8130, about RRCC property.

I'll try to forward you the v-m's

Greg C. Heitzman, P.E.
Sr. Vice President of Operations
Louisville Water Company
550 S Third Street
Louisville, KY 40202
502-569-3681
e-mail: gheitzman@lwcky.com

Vince Guenthner

From: Vince Guenthner
Sent: Thursday, July 12, 2007 10:43 AM
To: Greg Heitzman; Jim Smith
Subject: Response to Rep Moberly

Attached is a draft response. Please review and edit as you see appropriate.

10/22/2007

July 11, 2007

The Honorable Harry Moberly, Jr.
House of Representatives
Capitol Annex, Room 366
702 Capitol Avenue
Frankfort, KY 40601

Dear Representative Moberly:

This is in response to your request for information regarding Louisville Water Company's ability to meet the water supply needs of Central Kentucky. Following is a response to each question outlined in your letter.

Questions Related to Scope and Costs of an I-64 Pipeline

Louisville Water Company (LWC) proposes building a 36 inch pipeline from Jefferson County to Fayette County, along Interstate 64. The pipeline would be in public right-of-way or in already encumbered property immediately adjacent to I-64. The total estimated cost is \$82 million. LWC will build and fund the portion from Jefferson County to KY Hwy 53 in Shelby County. This portion is estimated to cost \$26 million.

Questions Related to Capacity and Benefits

A 36 inch pipeline will provide up to 30 million gallons a day (MGD) of supply capacity and the minimum amount required to be purchased is 5 MGD. Louisville Water Company's currently wholesale rate is \$1.71 per 1,000 gallons. The benefits of an I-64 pipeline include:

- Provides an unlimited source of supply from the Ohio River
- Provides low cost and timely regional solution
- Is attractive for state and federal grants
- Provides long term drought protection and a reliable, redundant source
- Provides connectivity for water providers in the Central Kentucky region

Questions Related to Regulatory Requirements and Timing

Louisville Water Company believes a pipeline can be built from Jefferson to Fayette County in 2-3 years. We would have to receive necessary road permits, approval from the Division of Water and possibly the KY Public Service Commission if a wholesale contract was signed with a PSC regulated utility. It is

anticipated that all of these approvals can be easily obtained. Pipelines of this length and magnitude are not un-common in the industry and will not pose any significant technical problems. We believe an I-64 pipeline can be built by the 2010 Equestrian Games. It is doubtful we or any other current proposal could have the pipeline built in time to meet the City of Winchester's additional needs by 2009.

Questions Related to New EPA Drinking Water Regulations

Louisville Water Company has started construction at our BE Payne treatment plant on an advanced treatment alternative called Riverbank Filtration (RBF). With the completion of the RBF project, LWC will be able to continue to exceed all EPA water quality standards including the enhanced surface water treatment rule. This construction project will be completed no later than the first quarter of 2010. Furthermore; the cost of the project has already been built into our capital plan budgets so its completion will have no future impacts on rates.

Questions Related to KY River Authority

Finally, Louisville Water Company understands the importance of the KY River Authority's mission to maintain and improve the locks and dams of the KY River and we are open to solutions including fees that would assure the continued viability of KRA. Thank you, for the opportunity to respond to your letter. If you have any questions or would like to discuss this in more detail please call me at 502-569-3681 or Vince Guenthner, LWC's Manger of Government Affairs at 502-569-3640.

Sincerely,

Gregory C. Heitzman, P. E.
President Elect

Vince Guenthner

From: Vince Guenthner
Sent: Tuesday, July 17, 2007 1:38 PM
To: 'paulas@lfucg.com'
Subject: FW: Aug 21 Council Planning Committee

Paul,

Per our discussion, please email me a list of the Council members who serve on the Planning Committee. If you have any questions or need to get in touch with me please call or email me.

Thanks

Vince Guenthner
Manager, Government Affairs
502-569-3640

From: Paul Schoninger [mailto:paulas@lfucg.com]
Sent: Mon 7/16/2007 9:22 AM
To: Kelley Dearing-Smith; pscinfo@ky.gov; kslewis@ky.gov; bridwell@kawc.com; bwsc@bluegrasswater.com; Stephen.reeder@ky.gov
Cc: Charles Martin; Linda Gorton; Julian Beard; Logan Askew
Subject: Aug 21 Council Planning Committee

Recently the Lexington Fayette Urban County Council heard a presentation from Louisville Water regarding a proposal to run a pipeline from the Ohio River into Fayette County to serve future water needs. The Council decided to consider this water supply option further by referring this to the Council Planning Committee.

The Planning Committee will meet on Tuesday August 21 at 1:00 PM to hear more about this proposal. The meeting will be held in the 2nd floor Council Chambers of the Government Center, 200 East Main Street, Lexington.

If you have any written information that you or your organization would like the Council to consider prior to the meeting please forward it to my attention. I will need to have the information before the end of business Wednesday August 15.

You are also encouraged to attend and offer testimony on this proposal at the Aug 21 meeting.

Should you need any further information please do not hesitate to contact this office.

Paul Schoninger
859-258-3208
paulas@lfucg.com

10/22/2007

Vince Guenthner

From: Karen Tingle-Sames [karen.tinglesames@georgetownky.gov]
Sent: Tuesday, July 17, 2007 8:33 AM
To: Vince Guenthner
Subject: Visit to Georgetown City Council

Dear Vince,

My City council would like to invite you and Greg Weitzman and or Jim Smith, to talk to the council about the Louisville water line. It is time for the council to start to hear their options and form a decision. I was wondering if you could come to Georgetown on Aug 20th a Monday night about 5:30 or 6:00? Please check your schedules and see if this is possible. I would like to let the council know this week.

Thank you very much

Mayor Karen Tingle Sames
Georgetown

Mayor Karen Tingle-Sames

City of Georgetown
100 Court Street
Georgetown, KY 40324
502-863-9800

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Vince Guenthner

From: Greg Heitzman
Sent: Thursday, July 12, 2007 11:45 PM
To: Millie Durrett
Cc: Vince Guenthner
Subject: FW: Response to Rep Moberly

Pls check and print for me to sign.

Vince, I made a few changes, pls look over and make any changes with Millie.

Greg C. Heitzman, P.E.
Sr. Vice President of Operations
Louisville Water Company
550 S Third Street
Louisville, KY 40202
502-569-3681
e-mail: gheitzman@lwcky.com

-----Original Message-----

From: Vince Guenthner
Sent: Thursday, July 12, 2007 10:43 AM
To: Greg Heitzman; Jim Smith
Subject: Response to Rep Moberly

Attached is a draft response. Please review and edit as you see appropriate.

Vince Guenthner

From: Greg Heitzman
Sent: Tuesday, July 17, 2007 1:44 PM
To: Vince Guenthner
Subject: RE: Aug 21 Council Planning Committee

Let Metro know.

Greg C. Heitzman, P.E.
Sr. Vice President of Operations
Louisville Water Company
550 S Third Street
Louisville, KY 40202
502-569-3681
e-mail: gheitzman@lwcky.com

-----Original Message-----

From: Vince Guenthner
Sent: Tuesday, July 17, 2007 1:41 PM
To: Greg Heitzman
Cc: Jim Smith; Patti Kaelin; Bob Miller
Subject: RE: Aug 21 Council Planning Committee

LWC along with KY American and the Bluegrass Water Supply Commission will all be making a presentation to the Council at the Planning Committee. I'm getting a list of the council members who serve on the committee. It sounds like the Committee is trying to gather as much info as possible so they can make a recommendation to the full Council on taking a position on the KY American's/LWC's proposals.

-----Original Message-----

From: Greg Heitzman
Sent: Tuesday, July 17, 2007 1:02 PM
To: Vince Guenthner
Cc: Jim Smith; Patti Kaelin; Bob Miller
Subject: FW: Aug 21 Council Planning Committee

Pls make contact to get the details of expectation.

Greg C. Heitzman, P.E.
Sr. Vice President of Operations
Louisville Water Company
550 S Third Street
Louisville, KY 40202
502-569-3681
e-mail: gheitzman@lwcky.com

-----Original Message-----

From: Kelley Dearing-Smith
Sent: Monday, July 16, 2007 4:25 PM
To: Jim Smith; Greg Heitzman; Vince Guenthner
Subject: FW: Aug 21 Council Planning Committee

You may already have this -- not sure why it came to my attention; my email is on the website; that could be the reason.

Kelley

From: Paul Schoninger [mailto:paulas@lfucg.com]
Sent: Mon 7/16/2007 9:22 AM
To: Kelley Dearing-Smith; pscinfo@ky.gov; kslewis@ky.gov; bridwell@kawc.com; bwsc@bluegrasswater.com; Stephen.reeder@ky.gov
Cc: Charles Martin; Linda Gorton; Julian Beard; Logan Askew
Subject: Aug 21 Council Planning Committee

Recently the Lexington Fayette Urban County Council heard a presentation from Louisville Water regarding a proposal to run a pipeline from the Ohio River into Fayette County to serve future water needs. The Council decided to consider this water supply option further by referring this to the Council Planning Committee.

The Planning Committee will meet on Tuesday August 21 at 1:00 PM to hear more about this proposal. The meeting will be held in the 2nd floor Council Chambers of the Government Center, 200 East Main Street, Lexington.

If you have any written information that you or your organization would like the Council to consider prior to the meeting please forward it to my attention. I will need to have the information before the end of business Wednesday August 15.

You are also encouraged to attend and offer testimony on this proposal at the Aug 21 meeting.

Should you need any further information please do not hesitate to contact this office.

Paul Schoninger
859-258-3208
paulas@lfucg.com

Vince Guenthner

From: Paul Schoninger [paulas@lfucg.com]
Sent: Tuesday, July 17, 2007 1:56 PM
To: Vince Guenthner
Subject: RE: Aug 21 Council Planning Committee

Planning Committee Membership

At-Large Councilmember Linda Gorton, Chair
Tom Blues, 2nd District, Vice Chair
Vice Mayor Jim Gray
Chuck Ellingeer, At-Large
Andrea James, 1st District
Julian Beard, 4th District
David Stevens, 5th District
Kevin Stinnett, 6th District
K.C. Crosbie, 7th District
Jay McChord, 9th District

Paul S
3208

-----Original Message-----

From: Vince Guenthner [mailto:vguenthner@lwcky.com]
Sent: Tuesday, July 17, 2007 1:38 PM
To: Paul Schoninger
Subject: FW: Aug 21 Council Planning Committee

Paul,

Per our discussion, please email me a list of the Council members who serve on the Planning Committee. If you have any questions or need to get in touch with me please call or email me.

Thanks

Vince Guenthner
Manager, Government Affairs
502-569-3640

From: Paul Schoninger [mailto:paulas@lfucg.com]
Sent: Mon 7/16/2007 9:22 AM
To: Kelley Dearing-Smith; pscinfo@ky.gov; kslewis@ky.gov; bridwell@kawc.com; bwsc@bluegrasswater.com; Stephen.reeder@ky.gov
Cc: Charles Martin; Linda Gorton; Julian Beard; Logan Askew
Subject: Aug 21 Council Planning Committee

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Paul Schonionger
859-258-3208
paulas@lfucg.com

Vince Guenthner

From: Vince Guenthner
Sent: Tuesday, July 17, 2007 1:41 PM
To: Greg Heitzman
Cc: Jim Smith; Patti Kaelin; Bob Miller
Subject: RE: Aug 21 Council Planning Committee

LWC along with KY American and the Bluegrass Water Supply Commission will all be making a presentation to the Council at the Planning Committee. I'm getting a list of the council members who serve on the committee. It sounds like the Committee is trying to gather as much info as possible so they can make a recommendation to the full Council on taking a position on the KY American's/LWC's proposals.

-----Original Message-----

From: Greg Heitzman
Sent: Tuesday, July 17, 2007 1:02 PM
To: Vince Guenthner
Cc: Jim Smith; Patti Kaelin; Bob Miller
Subject: FW: Aug 21 Council Planning Committee

Pls make contact to get the details of expectation.

Greg C. Heitzman, P.E.
Sr. Vice President of Operations
Louisville Water Company
550 S Third Street
Louisville, KY 40202
502-569-3681
e-mail: gheitzman@lwcky.com

-----Original Message-----

From: Kelley Dearing-Smith
Sent: Monday, July 16, 2007 4:25 PM
To: Jim Smith; Greg Heitzman; Vince Guenthner
Subject: FW: Aug 21 Council Planning Committee

You may already have this -- not sure why it came to my attention; my email is on the website; that could be the reason.

Kelley

From: Paul Schoninger [mailto:paulas@lfucg.com]
Sent: Mon 7/16/2007 9:22 AM
To: Kelley Dearing-Smith; pscinfo@ky.gov; kslewis@ky.gov; bridwell@kawc.com; bwsc@bluegrasswater.com; Stephen.reeder@ky.gov
Cc: Charles Martin; Linda Gorton; Julian Beard; Logan Askew
Subject: Aug 21 Council Planning Committee

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Paul Schonionger
859-258-3208
paulas@lfucg.com

Vince Guenthner

From: Vince Guenthner
Sent: Tuesday, July 17, 2007 3:24 PM
To: Greg Heitzman
Subject: RE: Aug 21 Council Planning Committee

Will do.

I'll also inform Rick that we have been asked to attend the Georgetown City/

-----Original Message-----

From: Greg Heitzman
Sent: Tuesday, July 17, 2007 1:44 PM
To: Vince Guenthner
Subject: RE: Aug 21 Council Planning Committee

Let Metro know.

Greg C. Heitzman, P.E.
Sr. Vice President of Operations
Louisville Water Company
550 S Third Street
Louisville, KY 40202
502-569-3681
e-mail: gheitzman@lwcky.com

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To: Greg Heitzman
Cc: Jim Smith; Patti Kaelin; Bob Miller
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Subject: FW: Aug 21 Council Planning Committee

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Sr. Vice President of Operations
Louisville Water Company
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Louisville, KY 40202
502-569-3681
e-mail: gheitzman@lwcky.com

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Subject: FW: Aug 21 Council Planning Committee

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Should you need any further information please do not hesitate to contact this office.

Paul Schoninger
859-258-3208
paulas@lfucg.com

Vince Guenthner

From: Vince Guenthner
Sent: Thursday, July 19, 2007 3:08 PM
To: 'Karen Tingle-Sames'
Cc: Greg Heitzman
Subject: RE: Visit to Georgetown City Council

Dear Mayor,

Thank you, for the invitation. Louisville Water Company will be happy to attend the meeting on August 20 and present information to the Georgetown City Council. At this point I'm not exactly sure who will attend but we will definitely be in attendance and prepared to answer questions.

-----Original Message-----

From: Karen Tingle-Sames [mailto:karen.tinglesames@georgetownky.gov]
Sent: Tuesday, July 17, 2007 8:33 AM
To: Vince Guenthner
Subject: Visit to Georgetown City Council

Dear Vince,

My City council would like to invite you and Greg Weitzman and or Jim Smith, to talk to the council about the Louisville water line. It is time for the council to start to hear their options and form a decision. I was wondering if you could come to Georgetown on Aug 20th a Monday night about 5:30 or 6:00? Please check your schedules and see if this is possible. I would like to let the council know this week.

Thank you very much
Mayor Karen Tingle Sames
Georgetown

Mayor Karen Tingle-Sames

City of Georgetown
100 Court Street
Georgetown, KY 40324
502-863-9800

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Vince Guenthner

From: Vince Guenthner
Sent: Friday, August 10, 2007 4:47 PM
To: Greg Heitzman
Subject: Accepted: Conf Call from Linda Gorton, Lexington Fayette Co Urban Gov

Vince Guenthner

Subject: Lexington City Council Meeting
Location: Council Chambers

Start: Wed 8/15/2007 11:30 AM
End: Wed 8/15/2007 5:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Required Attendees: Vince Guenthner; Greg Heitzman; Jim Smith; Patti Kaelin

The meeting is at 1:00. I blocked out 1/12 hours of travel time. Below is text from the email from Mayor Newberry's office.

Recently the Lexington Fayette Urban County Council heard a presentation from Louisville Water regarding a proposal to run a pipeline from the Ohio River into Fayette County to serve future water needs. The Council decided to consider this water supply option further by referring this to the Council Planning Committee.

The Planning Committee will meet on Tuesday August 21 at 1:00 PM to hear more about this proposal. The meeting will be held in the 2nd floor Council Chambers of the Government Center, 200 East Main Street, Lexington.

Vince Guenthner

Subject: Georgetown City Council Workshop
Location: Georgetown City Hall

Start: Mon 8/20/2007 4:30 PM
End: Mon 8/20/2007 8:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Required Attendees: Vince Guenthner; Greg Heitzman; Jim Smith; Patti Kaelin

The meeting is at 6:00 pm. I scheduled an 1 1/2 hour travel time. The meeting is being advertised as a workshop and will be open to the public. All 8 members of the council will attend but Mayor Tingle-Sames will not be in attendance. (she is out of town)

Vince Guenthner

From: Vince Guenthner
Sent: Tuesday, September 04, 2007 9:48 AM
To: 'Stephen.Reeder@ky.gov'
Subject: Meeting

Are you and/or other members of your staff available to meet on any of the following dates and times? Amber Halloran, LWC's Director of Finance and I would like to meet to get a better idea of how the withdrawal fees support the KY River Authority.

September 11 at 1:00
September 13 at 10:00, 11:00 or 1:00
September 14 at 1:00 or 2:00

Vince Guenthner

From: Vince Guenthner
Sent: Thursday, September 06, 2007 10:01 AM
To: Greg Heitzman
Subject: FW: Next Shelby County Group Meeting

Given Ed Wetzel's comment do you think we should invite Billy Jenkins to the next Shelby County Group meeting? I informed Mayor Tingle Sames of the meeting. (the meeting is Tuesday Sept 11)

Vince Guenthner

From: Greg Heitzman
Sent: Saturday, July 21, 2007 9:54 AM
To: Vince Guenthner
Cc: Patti Kaelin; Jim Smith; Bob Miller; Amber Halloran
Subject: RE: Visit to Georgetown City Council

I talked to Mayor Sames Friday about the Georgetown Council mtg. It'll be at 5:30 on 8/20. And we can bring a similar presntaton that we did to CCEIDA on Thursday. Pls have Patti prepare a draft and set up a mtg.

Likewise, pls meet with Patti and Jim to layout a power point for LFUG committee meeting on 8/21. We need this to me more focused, answering some of the questions the Council had, plus integrate RW Beck analysis. Essentially the presntation can be 15-20 slides on the the LWC Pipeline Proposal. This will be a level 2 presntation, a little more detail than last, so we raise the level of knowledge on the issue. Pls set up a mtg for week of July 30 for all to discuss draft layout of this presntation.

Here is a draft outline to begin

1. Overall Project Summary with map
2. High Level project attributes/benefits
3. Cost Estimate Summary
4. RW Beck Financial Analysis (including projected impact on Lexington rates)
5. Funding and Partners Concept
6. Pipeline Benefits
7. Summary Close (generic benefits of LWC solution)

Greg

From: Vince Guenthner
Sent: Tue 7/17/2007 9:33 AM
To: Greg Heitzman; Jim Smith; Patti Kaelin
Subject: FW: Visit to Georgetown City Council

Fyi, Let's discuss. i'm available

Vince Guenthner

From: Karen Tingle-Sames [karen.tinglesames@georgetownky.gov]
Sent: Thursday, July 19, 2007 4:14 PM
To: Vince Guenthner
Subject: RE: Visit to Georgetown City Council

Thank you. I will tell them on Monday. I am not going to be able to be with you on Friday, I am already booked for the day.

I will get back with you about the detail on Tues July 24.

Thanks again.

Mayor Karen Tingle Sames

From: Vince Guenthner [mailto:vguenthner@lwcky.com]
Sent: Thursday, July 19, 2007 3:08 PM
To: Karen Tingle-Sames
Cc: Greg Heitzman
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Vince Guenthner

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LOUISVILLE WATER COMPANY

550 SOUTH THIRD STREET • LOUISVILLE, KENTUCKY 40202

TEL 502-569-3600 FAX 502-569-0815

August 1, 2007

The Honorable Harry Moberly, Jr.
House of Representatives
Capitol Annex, Room 366
702 Capitol Avenue
Frankfort, KY 40601

Dear Representative Moberly:

This is a follow up to your request of June 18, 2007 for information regarding Louisville Water Company's ability to meet the water supply needs of Central Kentucky. Following is a response to each question outlined in your letter.

Scope and Costs of an I-64 Pipeline

Louisville Water Company (LWC) proposes to build a 36 inch pipeline from Jefferson County to Fayette County, along Interstate 64. The pipeline would be in public right-of-way or immediately adjacent to I-64. The total estimated cost is \$82 million. LWC will build and fund the portion from Jefferson County to KY Hwy 53 in Shelby County, at an estimated \$26 million. The balance of the project at \$56 million can be financed with grants and low interest loans, or by municipalities or water suppliers in the region.

Capacity and Benefits

A 36 inch pipeline will provide up to 30 million gallons a day (MGD) of supply capacity and the minimum amount required to be purchased is 5 MGD. Louisville Water Company's current wholesale rate is \$1.71 per 1,000 gallons. The benefits of an I-64 pipeline include:

- Provides access to the unlimited source of supply of the Ohio River
- Provides low cost and timely regional solution
- Is attractive for state and federal grants
- Provides long term drought protection and a reliable, redundant source
- Provides connectivity for water providers in the Central Kentucky region

Regulatory Requirements and Timing

Louisville Water Company believes a pipeline can be built from Jefferson to Fayette County in 2-3 years. We would have to receive approval of pipeline plans from the KY Division of Water and approvals from the KY Transportation

Cabinet and Army Corp of Engineers for routine permits associated with water main projects. Additionally, we will need approval from the KY Public Service Commission if a wholesale contract is signed with a PSC regulated utility. Pipelines of this length and magnitude are not un-common in the industry and will not pose any significant technical problems. We believe an I-64 pipeline can be built by the 2010 Equestrian Games. It is doubtful we or any other current proposal could have the pipeline built in time to meet the City of Winchester's additional needs by 2009.

EPA Drinking Water Regulations

Louisville Water Company has started construction at our BE Payne water treatment plant on an advanced treatment alternative called Riverbank Filtration (RBF). With the completion of the RBF project, LWC will be able to continue to exceed all EPA water quality standards including the Enhanced Surface Water Treatment Rule and the Disinfection By Product Rule. This construction project will be completed in 2010. Furthermore, the cost of the project has already been built into our capital plan budgets and projections of water rate increases. We anticipate annual water rate increases to average 5 percent over the next 10 years.

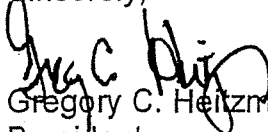
Questions Related to KY River Authority

Finally, Louisville Water Company understands the importance of the KY River Authority's mission to maintain and improve the locks and dams of the KY River and we are open to solutions including appropriate fees that would assure the continued viability of KRA.

I have also included a copy of the power point presentation and responses to questions presented July 10th to the Lexington-Fayette Urban County Council.

Thank you, for the opportunity to respond to your letter. If you have any questions or would like to discuss this in more detail please call me at 502-569-3681 or Vince Guenthner, LWC's Manger of Government Affairs at 502-569-3640.

Sincerely,



Gregory C. Heltzman, P. E.
President

cc: Vince Guenthner

Commonwealth of Kentucky

HOUSE OF REPRESENTATIVES

HARRY MOBERLY, JR.

STATE REPRESENTATIVE

81ST DISTRICT

MADISON COUNTY



CHAIRMAN, APPROPRIATIONS & REVENUE

COMMITTEES:

APPROPRIATIONS & REVENUE

EDUCATION

June 18, 2007

Gregory C. Heitzman, P.E.
Senior Vice President
Operations and Chief Engineer
Louisville Water Company
550 South Third Street
Louisville, Kentucky 40202

Dear Mr. Heitzman:

I am writing to request information concerning the potential role that the Louisville Water Company could play in assuring that the water supply needs of the central Kentucky region can be met for the foreseeable future.

As you are aware, Kentucky-American Water Company has filed a request for a Certificate of Public Convenience and Necessity with the Public Service Commission, seeking approval for a water treatment plant and associated pipeline from Pool 3 of the Kentucky River near the Franklin-Owen County line. The Bluegrass Water Supply Commission, which had initially sought to develop a treatment plant of its own near that location, is pursuing some \$60 million in state and federal grants in part in order to purchase a 20 percent equity interest in that facility and pipeline. I understand that the treatment plant and pipeline are a first phase of Kentucky-American's plans, and that Kentucky-American has suggested a future phase could include a second pipeline from that Pool 3 treatment plant north to the Ohio River and expansion of the Pool 3 plant.

At a recent meeting of the Kentucky River Authority, the attorney for the Bluegrass Water Supply Commission (BWSC) indicated that the BWSC is focusing on getting support from the Central Kentucky legislators "so that we can get \$25 million from the next session of the General Assembly as a one-time capital infusion of money so that we can afford to buy into the 25-million-gallon-a-day treatment plant." The representative of the BWSC indicated that the water cost to the BWSC member communities would be "somewhere around \$3 a thousand gallons which is pretty high as water goes on a take or pay basis" assuming "we do not get any money, any free money." The "free money" referred

Gregory C. Heitzman, P.E.
Page 2
June 18, 2007

to is presumably the \$25 million in taxpayer-funded state grants and \$35 million in federal grants that would be spent in part to construct an incremental additional capacity of 5 mgd to the Kentucky-American Water Treatment Plant that would be available to the BWSC.

Purchasing already-treated water from your company has been one alternative that has been studied in the past and was, as I understand, the preferred alternative selected by Kentucky-American Water Company in the late 1990s. I am writing to inquire as to the opportunities that might exist for extension of pipeline(s) from your system eastward into central Kentucky, including any projections of construction and operation and maintenance costs and the costs to customers at the wholesale level for delivery of finished water at various increments of supply.

Among the questions I would request that you address are what route(s) you would suggest for a pipeline, what costs Louisville Water Company would be willing to incur to extend the pipeline east from the furthest planned terminus of your system, what capacity would be required to be purchased, the projected cost for the delivered water, and what capacity would be available from your company in the event of a recurrence of the 1930 drought.

I would also appreciate your projection of the wholesale cost of water to the customers, and what benefits you believe that a finished-water pipeline would provide, beyond the obvious cost-savings from not having to build the treatment plant at Pool 3 and the second-phase pipeline north to the Ohio River.

Another issue is one of timing. What regulatory approvals would you need, and would you anticipate technical or other problems in extending the system? Two timing issues have been raised relative to water needs. First, Kentucky-American Water Company requested accelerated consideration of the request for a Certificate of Need for the Pool 3 plant and line based on the 2010 Equestrian Games and the concern with the additional demands placed on supply. Additionally, the City of Winchester is seeking 1.6 additional mgd to support an industrial plant in 2009. Would you be able to address these concerns within that time frame?

An additional issue is one of water quality. With new requirements for drinking water treatment on the horizon in the next decade, what is the current projection of the Louisville Water Company for additional costs to address those new rules, and how might the customers in central Kentucky be affected by a decision to construct the Pool 3 treatment plant or to bypass that step and instead purchase finished water from your company?

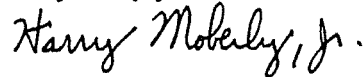
Gregory C. Heitzman, P.E.
Page 3
June 18, 2007

Finally, as you are aware, the Kentucky River Authority is charged with the maintenance of the lock and dam system on the Kentucky River, and has a number of capital projects planned for those locks and dams. The KRA projects are funded by a user fee for water withdrawn from the River, and one concern raised is that for any inter-basin transfer of water that supplants water that would have been drawn from the Kentucky River, the KRA should be made whole, possibly by a line charge or other mechanism to hold the KRA harmless for any lost user fees. Please indicate whether your company would oppose such a line charge, and whether, with a line charge comparable to the user fee that the KRA is authorized to impose on withdrawals from the Kentucky River, you believe that a pipeline to Louisville would still be the preferred option.

Thank you in advance for your response to these questions. Please provide any supporting documents, and any additional information that you believe might be helpful.

Thank you in advance.

Very truly yours,



Harry Moberly, Chair
State Representative

HM:ps

Sample Bill Calculation A

Sample calculation for a customer using 500,000 gallons of water per day, based upon Louisville Water Company rate.

15 Million Gallons Per Month Sample Bill*

First 3,000 gallons	\$6.09
Next 3,000 gallons	\$6.66
Next 194,000 gallons	\$485.00
Next 1,300,000 gallons	\$3,068.00
Next 3,500,000 gallons	\$7,560.00
Next 5,000,000 gallons	\$7,900.00
All over 10,000,000 gallons	\$7,200.00
Monthly meter fee (2 inch meter)	\$45.20
Sub-Total	\$26,270.95
Tax (6%)	\$1,576.26
Total	\$27,847.21

***Assumptions:**

- Assumes a 2-inch meter to allow sample bill calculation (customer provide sample size)
- Estimate based upon 500,000 gallons per day

Sample Bill Calculation B

Sample calculation for a customer using 500,000 gallons of water per day based upon Kentucky Turnpike Water District #2 rate.

15 Million Gallons Per Month Sample Bill*

First 10,000 gallons	\$51.27
Next 15,000 gallons	\$60.60
Next 25,000 gallons and over	\$53,161.25
Sub-total	\$53,273.12
Tax (6%)	\$3,196.38
Total	\$56,469.50

***Assumptions:**

- Assumes a 2-inch meter to allow sample bill calculation (customer provide sample size)
- Estimate based upon 500,000 gallons per day

Rosetta –

As a follow up to the below email, here are the details on the 5 sites within LWC retail territory –

Cedar Grove Road –

I believe the area in question is the southeast quadrant of Cedar Grove Road and I-65. There is a 16 inch water main along this section of Cedar Grove Road, and a 16 inch water main along this section of Buffalo Run Road.

5400 Minors Lane –

There is currently a 6 inch water main in Dupin Drive and a 6 inch water main in Minors Lane

Greenbelt Hgwy/Tradeport Road –

Near the intersection of Greenbelt and Tradeport there is a 16 inch water main in that section of Greenbelt Hgwy. There is a 12 inch water main along the portion of Tradeport Road west of Greenbelt, and a 16 inch water main along the portion of Tradeport east of Greenbelt.

Middletown Kentucky –

I am unable to locate this site. If it is along Urton Lane west of the Snyder Freeway, there is a 16 inch water main in a portion of Urton Lane, and a 12 inch water main in a portion of Urton Lane.

Stonestreet Road –

I believe the area in question is north of the Snyder Freeway. There is a 12 inch water main along this portion of Stonestreet Road.

Additional general information –

-In order to connect to a water main, the applicant must own fee simple property out to the main.

-Our source of supply is the Ohio River. We own and operate two water treatment plants with reserve capacity. The combined design capacity for both plants is 300 MGD. The present average daily pumpage is 129 MGD. The maximum recorded single day usage is 205 MGD.

-We have different fees associated with different meter sizes, and different tapping fees associated with different water mains. Once your client determines a site we can provide specific details regarding these fees. Please feel free to have your client contact me directly. I'd be happy to answer any other questions they may have, or work one on one with them.

I hope this information is helpful. Please let me know if you need anything else.

Thank you -- Patti Kaelin

-----Original Message-----

From: Patti Kaelin

Sent: Thursday, May 25, 2006 2:17 PM

To: 'Rosetta Holland'

Cc: 'rfry@greaterlouisville.com'

Subject: RE: Data Needed: 100+ acre sites

Rosetta –

I have copied Roxann since you indicated you would be out tomorrow. I wanted to let you know the following info as soon as possible.

7 of the 12 sites are not within LWC retail territory, so I cannot comment on them. I am only able to forward details on 5 sites.

They 7 outside of our area include –

- Ky 393/I-71
- 5100 Port Rd
- US Hgwy 31
- Landis Lane at Bardstown Rd
- Boone Station Rd
- US 60/Veechdale (Kingbrook)
- Mortown Development

I wanted to let you know in case you want to contact that water utility for a response.

Thanks –

Patti Kaelin

-----Original Message-----

From: Rosetta Holland [mailto:RHolland@greaterlouisville.com]

Sent: Thursday, May 25, 2006 12:06 PM

Subject: Data Needed: 100+ acre sites

Greater Louisville Inc is currently working a project which requires 100+ acres with detailed requests of utility infrastructure and other information. The list of the current properties in the Metro Louisville area are attached. Please review the list of properties and provide any detailed information you may have on the following issues to my attention at your earliest convenience.

<<SFX555.pdf>>

We've been asked to identify properties in the following counties: Bullitt, Shelby, Spencer, Henry, Oldham, Trimble and Jefferson. If you know of additional properties which are not listed, please identify and let us know of those as well. We want the client to have as much information as needed.

Below is a list of some of the information required:

- o Site acreage: 100 - 500 acres
- o Zoning: Site must be zoned for industrial or light industrial use, or in a jurisdiction where this zoning can be secured within 60 days. If the site is in a jurisdiction that has no zoning, the site must be suitable for industrial/light industrial use.
- o Sewer and water service must be at the site, or must be extended within six months of site acquisition.

Please submit all available sites or assemblages of 100-500 acres that meet the profile listed above, regardless of whether you control the property.

We have a strong preference for sites with all utilities, and immediate development potential. Timing is a critical issue, so parcels with partial or complete due diligence and/or subdivision or development permits in place will receive priority attention.

Listed below is the information we would like to see on each site submitted, if available. While we recognize some of this is probably unavailable please send whatever you have on each site. Even if you have only limited information, please submit the site anyway.

- Boundary survey (Scaled)
- Topographic survey (Scaled)
- Aerial photographs
- Environmental studies
- Geotechnical analyses
- Floodplain map on which the site is identified
- Location of all utilities in relation to the site, including utility sizes or capacities
- Excess water and sewer capacity in the treatment facility that will serve the site
- Road map identifying the location of the site
- Owner name and asking price

If you submit 1:24,000 USGS quad maps, please be sure to clearly delineate the site boundaries, or an approximation thereof, on the map.

Also, include contact information for any persons familiar with each site that may be helpful in providing information about the property, such as surveyors, geotechnical engineers, civil engineers, and so forth.

We have to compile the data and present by Thursday, June 1st. Please have all information to me by close of business, Wednesday, May 31st.

Please contact me directly if you have any questions concerning this request.

Thank you for your time and attention it matter.

Rosetta Holland
Program Manager - Economic Development
Greater Louisville Inc. - The Metro Chamber of Commerce
614 West Main Street, Suite 6000
Louisville, KY 40202
Phone: 502.625.0041 Fax: 502.625.0211
RHolland@GreaterLouisville.com
<http://www.GreaterLouisville.com>

Maximize Your Opportunities

<<Rosetta Holland.vcf>>

From: Patti Kaelin
Sent: Friday, June 29, 2007 11:08 AM
To: 'rfry@greaterlouisville.com'
Subject: FW: Utility specs for Project Pioneer

Hi Roxann – the additional information I have put together is listed below. There didn't seem to be a spot in their answer column for this, so I just made a table below.

Let me know if I can provide anything else.

Thanks – Patti

Assumptions –

- 90,000-102,000 gallons per day water requested. This is 60-70 gallons per minute.
- Example meter size is 1.5 inch based upon gallons per minute, for sake of calculations only.
- Customer to make final determination of meter size.
- Minimum pressure required is 65 PSI.
- Must own property in fee simple to the water main to tap it.

Name of site	Tapping fee (cost to tap water main)	Meter/service installation fee	Pressure in area
Blankenbaker Station	Tucker Station Rd along north of the site – no tapping fee Tucker Station Rd along west of the site, and Rehl Rd south of the site - \$5,450 tapping fee	\$2,000	Pressures in the area range from 67 – 79 psi
Willabrook	Brooks Hill Rd – no tapping fee	\$2,000	Pressures in the area range from 63 – 67 psi
Strawberry Ln	Eiler Ave – no tapping fee	\$2,000	Pressure in the area is about 80 psi

From: Roxann Fry [mailto:RFry@greaterlouisville.com]

Sent: Thursday, June 28, 2007 4:21 PM

To: Roy Flynn; Patti Kaelin; Lisa Payne; Kmetz, Mike

Subject: Utility specs for Project Pioneer

Just received more info that may be helpful to providing the remaining details of the previous request for project pioneer. I have also received an extension to Monday of next week. Please let me know if you can now provide revised responses. Thanks!

Roxann Fry

Economic Development,
Director of Client Solutions

Greater Louisville Inc. - The Metro Chamber of Commerce
614 West Main Street, Suite 6000 Louisville, KY 40202
Phone: 502.625.0074
Fax: 502.625.0211
Cell: 502-376-3843
RFry@GreaterLouisville.com
<http://www.GreaterLouisville.com>

Maximize Your Opportunities

files attached:

- ① brochure
- ② 3 site maps

- S.berry lane
- Hollenbach prop
- Brooks Hill

③ fee schedule for 2007

-----Original Message-----

From: Patti Kaelin
Sent: Wednesday, June 27, 2007 1:55 PM
To: ~~rfry@greaterlouisville.com~~
Subject: FW: Project Pioneer - water info needed

Hi Roxann - please find attached general information in response to this RFI.

Please tell your client that we would be happy to work with them directly. We can provide much more detailed information if we know which site (will it be the entire site, or only a portion of - this affects which main they can tap), what will their water usage be, what size service will they need, etc.

I am also emailing you a list of our fees to forward. That might help the client also.

Please call me if can be of further help.

PS. - thank you for the site maps - they were very helpful!

Patti Kaelin
Louisville Water Company
T: 502.569.0843
F: 502.569.3691
E: pkaelin@lwcky.com

-----Original Message-----

From: Roxann Fry [mailto:RFry@GreaterLouisville.com]
Sent: Tuesday, June 26, 2007 2:33 PM
To: Patti Kaelin
Subject: Project Pioneer - water info needed

Hi Patti,
We've received an extensive rfi from McCallum Sweeney Consulting - Project Pioneer. Attached is some water info they've requested. So far, we have identified three sites that meet this detailed criteria. 1) Blankenbaker Station - the Hollenbach/Oakley property east of Bluegrass industrial park; 2) 6330 Strawberry Lane; and 3) Willabrook - 64 acres at Brooks. I've also attached the basic brochure in case you need more clarification on the sites.

Can you help us gather this info by close of business on Wednesday. If you need more time (since this IS short notice), just let me know.

Thanks! Roxann

Roxann Fry
Director of Economic Development,
Client Solutions

Greater Louisville Inc. - The Metro Chamber of Commerce
614 West Main Street, Suite 6000 Louisville, KY 40202
Phone: 502.625.0074
Fax: 502.625.0211
Cell: 502-376-3843
RFry@GreaterLouisville.com
<http://www.GreaterLouisville.com>
Maximize Your Opportunities



LOUISVILLE WATER COMPANY

550 SOUTH THIRD STREET • LOUISVILLE, KENTUCKY 40202

TEL 502-569-3600

WWW.LOUISVILLEWATER.COM

March 21, 2007

Mr. Glenn Schueler
Senior Engineer, Project Management
Chemical Lime
P.O. Box 985004
Fort Worth, Texas 76185

Dear Mr. Schueler:

As a follow up to our meeting yesterday, please find enclosed a copy of Louisville Water Company *2006 Annual Water Quality Report*. This report contains detailed water quality data about our product.

I hope the attached report answers any questions you may have. If I can provide additional information, or be of assistance as you are locating your facility in Riverport, please call me at 502.569.0843.

Sincerely,

Patti S. Kaelin
Business Development

2007 SERVICE INSTALLATION FEES

Domestic Service

Service Size	¾"	1"	1 ½"	2"	3" & 4"	6" & larger
Fee	\$525	\$750	\$2,000	\$2,500	\$7,000	Variable

Fire Service

Service Size	4"	6"	8"	10" & larger
Fee	\$4,000	\$4,500	\$5,000	Variable

The fee for installation of 6" and larger domestic services and 10" and larger fire services is the estimated cost of the installation at the time of application. It is adjusted to actual cost upon completion of installation, but will not exceed amount of the deposit.

System Development Charge

Service Size	¾"	1"	1 ½"	2"	3"	4"	6" & larger
Fee	\$700	\$1,750	\$3,500	\$5,600	\$11,000	\$17,500	Negotiated

The System Development Charge (SDC) is payable for service connections to water mains installed after January 1, 1992, unless the main was identified in the County-wide Water Extension Plan.

Temporary Service

Meter Assembly Size	¾"	1 ½"
Fee	\$200	\$500

A \$2 per day service fee applies to all temporary services. A portion of the temporary service fee is refundable. \$100 of the ¾" fee, \$400 of the 1 ½" fee is returned to the customer.

LOUISVILLE WATER COMPANY

2007 WATER CONSUMPTION CHARGE

The charge for monthly¹ usage shall be computed in accordance with the following schedule:

	General Pressure Area ²	Elevated Service Area ³
First 3,000 gallons	\$2.03 per 1,000 gallons	\$2.30 per 1,000 gallons
Next 3,000 gallons	\$2.22 per 1,000 gallons	\$2.49 per 1,000 gallons
Next 194,000 gallons	\$2.50 per 1,000 gallons	\$2.77 per 1,000 gallons
Next 1,300,000 gallons	\$2.36 per 1,000 gallons	\$2.63 per 1,000 gallons
Next 3,500,000 gallons	\$2.16 per 1,000 gallons	\$2.43 per 1,000 gallons
Next 5,000,000 gallons	\$1.58 per 1,000 gallons	\$1.85 per 1,000 gallons
Over 10,000,000 gallons	\$1.44 per 1,000 gallons	\$1.71 per 1,000 gallons

2007 MONTHLY SERVICE CHARGE⁴

5/8-3/4" Meter.....	\$ 5.65	6" Meter	\$ 395.50
1" Meter.....	\$ 14.13	8" Meter	\$ 706.25
1 1/2" Meter.....	\$ 28.25	10" Meter.....	\$ 1,073.50
2" Meter.....	\$ 45.20	12" Meter	\$ 1,638.50
3" Meter.....	\$ 98.88	16" Meter.....	\$ 3,248.75
4" Meter.....	\$169.50		

FIRE SERVICE CHARGES

Fire Service Size	4"	6"	8"	10"	12"
Monthly Charge	\$15.50	\$30.97	\$60.14	\$118.50	\$237.89

All charges are subject of a 5% penalty if delinquent 20 days after billing date.

¹ The Louisville Water Company bills customers on a bi-monthly schedule. Monthly billing can be arranged in some circumstances.

² The General Pressure Area is defined as the area which can be served from the Crescent Hill/Cardinal Hill Water System without additional pumping and storage facilities.

³ The Elevated Service Area is defined as the area that cannot be served from the Crescent Hill/Cardinal Hill Water System without additional pumping and storage facilities. All customers in this area pay a surcharge of \$0.27 per thousand gallons of water.

⁴ Multiple meter customers can receive a combined bill that would include a single service charge based on combined meter size.



Louisville Water Company

550 South Third Street
Louisville, Kentucky 40202
(502) 569-3600

The Louisville Water Company, chartered in 1854 as a municipal corporation, is a nationally recognized utility with demonstrated technical competence in all areas of water utility operations and management. The Company is an industry leader in water quality and treatment research, drinking water regulatory compliance and infrastructure renewal. Louisville Water Company drinking water quality currently exceeds all standards for drinking water.

The Louisville Water Company's raw water source is the Ohio River, an abundant, reliable supply. This source will meet all anticipated supply requirements beyond the 21st century. The Louisville Water Company owns and operates two water treatment facilities with available capacity. The Crescent Hill Treatment Plant has a firm capacity of 180 million gallons per day (MGD) and the firm capacity of the B.E. Payne Water Treatment Plant is 60 MGD. The combined design capacity for both plants is 300 MGD. Currently the average daily pumpage is 121 MGD with a maximum production day of 205 MGD, experienced in 2005. Both water treatment plants utilize a chloramine disinfection process that allows transport of high quality water over long distances.

The Louisville Water Company establishes rates on cost of service principles established by the American Water Works Association. The Company maintains competitive water rates, with a five-year forecast indicating favorable rate levels compared to projected cost-of-living increases. The average residential customer pays a monthly bill of \$18.37 for 6,000 gallons of consumption. The Company bills retail customers on a bi-monthly schedule.

The Louisville Water Company serves about 810,000 people in Louisville Metro and parts of Bullitt and Oldham Counties, through 3,900 miles of water mains and maintains over 20,000 fire hydrants. In addition to retail customer accounts, the Louisville Water Company also serves six nearby water utilities on a wholesale basis.

The Louisville Water Company maintains an extensive Capital Improvement Program highlighted by significant investment in three core areas.

- Infrastructure Renewal programs for pipelines, treatment and pumping equipment and facilities to preserve and extend the life of our infrastructure in order to continue to provide outstanding water service to our customers.
- Advanced Treatment Technology investments in advanced treatment technology to improve the safety and quality of our drinking water and assure compliance with future drinking water regulations.
- Supply Delivery System Improvements to meet the service demands from growth and the shift of our customers into surrounding counties and outlying areas of Jefferson County.



LOUISVILLE WATER COMPANY

550 SOUTH THIRD STREET • LOUISVILLE, KENTUCKY 40202

TEL 502-569-3600

WWW.LOUISVILLEWATER.COM

March 21, 2007

Mr. Glenn Schueler
Senior Engineer, Project Management
Chemical Lime
P.O. Box 985004
Fort Worth, Texas 76185

Dear Mr. Schueler:

As a follow up to our meeting yesterday, please find enclosed a copy of Louisville Water Company *2006 Annual Water Quality Report*. This report contains detailed water quality data about our product.

I hope the attached report answers any questions you may have. If I can provide additional information, or be of assistance as you are locating your facility in Riverport, please call me at 502.569.0843.

Sincerely,

Patti S. Kaelin
Business Development



Louisville Water Company
550 South Third Street
Louisville, Kentucky 40202
(502) 569-3600

General Information

The Louisville Water Company, chartered in 1854 as a municipal corporation, is a nationally recognized utility with demonstrated technical competence in all areas of water utility management. The Company has been an industry leader in dealing with legislation and regulations under the U.S. EPA-administered Safe Drinking Water Act and continuously maintains a vigorous research program to effectively deal with future State and Federal regulations. The Company currently exceeds all standards for drinking water.

The Louisville Water Company's raw water source is the Ohio River, an abundant, reliable supply. This source will meet all anticipated supply requirements beyond the 21st century.

The Louisville Water Company owns and operates two water treatment plants with reserve capacity. The Crescent Hill Treatment Plant can produce a firm capacity of 180 million gallons per day (MGD). The firm capacity for production at the B.E. Payne Treatment Plant is 45 MGD. The combined design capacity for both plants is 300 MGD. The present average daily pumpage is 127 MGD. The maximum recorded single day usage is 197 MGD (1999). Both water treatment plants utilize a chloramine disinfection process that allows high water quality to be maintained over long distances.

The Louisville Water Company establishes rates on cost of service principles established by the American Water Works Association. The Company maintains competitive water rates, with the five-year forecast indicating favorable rate levels compared to projected cost-of-living increases. The average residential customer pays a monthly bill of \$16.45 for 6,000 gallons of consumption. The Company bills retail customers on a bi-monthly schedule.

The Louisville Water Company serves over 261,000 customer accounts through nearly 3,500 miles of water mains and over 23,000 fire hydrants. In addition to those retail customer accounts, it also serves five nearby water utilities on a wholesale basis.

The Louisville Water Company maintains a vigorous Capital Improvement Program. This Capital Improvement Program is heavily committed in three core areas.

- Infrastructure Replacement and Rehabilitation
- Water Transmission Mains
- Water Treatment Plant and Distribution System Storage Improvements

**LOUISVILLE WATER COMPANY
2005 WATER CONSUMPTION RATES**

	GENERAL PRESSURE AREA¹	ELEVATED SERVICE AREA²
First 3,000	\$ 1.81 per 1,000 gal.	\$ 2.06 per TG
Second 3,000	\$ 1.98 per 1,000 gal.	\$ 2.23 per TG
Next 194,000	\$ 2.24 per 1,000 gal.	\$ 2.49 per TG
Next 1,300,000	\$ 2.10 per 1,000 gal.	\$ 2.35 per TG
Next 3,500,000	\$ 1.92 per 1,000 gal.	\$ 2.17 per TG
Next 5,000,000	\$ 1.48 per 1,000 gal.	\$ 1.73 per TG
Next 10,000,000	\$ 1.31 per 1,000 gal.	\$ 1.56 per TG

¹ The General Pressure Area is defined as the area which can be served from the Crescent Hill/Cardinal Hill water system without additional pumping and storage facilities.

² The Elevated Service Area is defined as the area that cannot be served from the Crescent Hill/Cardinal Hill water system without additional pumping storage facilities. All customers in this area pay an additional \$0.25 per thousand gallons of water for this additional pumping and storage.

LOUISVILLE WATER COMPANY

2005 WATER CONSUMPTION CHARGE

The charge for monthly¹ usage shall be computed in accordance with the following schedule:

	General Pressure Area ²	Elevated Service Area ³
First 3,000 gallons	\$1.81 per 1,000 gallons	\$2.06 per 1,000 gallons
Next 3,000 gallons	\$1.98 per 1,000 gallons	\$2.23 per 1,000 gallons
Next 194,000 gallons	\$2.24 per 1,000 gallons	\$2.49 per 1,000 gallons
Next 1,300,000 gallons	\$2.10 per 1,000 gallons	\$2.35 per 1,000 gallons
Next 3,500,000 gallons	\$1.92 per 1,000 gallons	\$2.17 per 1,000 gallons
Next 5,000,000 gallons	\$1.48 per 1,000 gallons	\$1.73 per 1,000 gallons
Over 10,000,000 gallons	\$1.31 per 1,000 gallons	\$1.56 per 1,000 gallons

2005 MONTHLY SERVICE CHARGE⁴

5/8-3/4" Meter.....	\$ 5.06	6" Meter	\$ 354.20
1" Meter.....	\$ 12.65	8" Meter	\$ 632.50
1 1/2" Meter.....	\$ 25.30	10" Meter.....	\$ 961.40
2" Meter.....	\$ 40.48	12" Meter	\$ 1,467.40
3" Meter.....	\$ 88.55	16" Meter.....	\$ 2,909.50
4" Meter.....	\$151.80		

FIRE SERVICE CHARGES

Fire Service Size	4"	6"	8"	10"	12"
Monthly Charge	\$13.85	\$27.69	\$53.78	\$105.97	\$212.73

All charges are subject of a 5% penalty if delinquent 20 days after billing date.

¹ The Louisville Water Company bills customers on a bi-monthly schedule. Monthly billing can be arranged in some circumstances.

² The General Pressure Area is defined as the area which can be served from the Crescent Hill/Cardinal Hill Water System without additional pumping and storage facilities.

³ The Elevated Service Area is defined as the area that cannot be served from the Crescent Hill/Cardinal Hill Water System without additional pumping and storage facilities. All customers in this area pay a surcharge of \$0.25 per thousand gallons of water.

⁴ Multiple meter customers can receive a combined bill that would include a single service charge based on combined meter size.

**LOUISVILLE WATER COMPANY
2005 WATER CONSUMPTION RATES**

	GENERAL PRESSURE AREA¹	ELEVATED SERVICE AREA²
First 3,000	\$ 1.81 per 1,000 gal.	\$ 2.06 per TG
Second 3,000	\$ 1.98 per 1,000 gal.	\$ 2.23 per TG
Next 194,000	\$ 2.24 per 1,000 gal.	\$ 2.49 per TG
Next 1,300,000	\$ 2.10 per 1,000 gal.	\$ 2.35 per TG
Next 3,500,000	\$ 1.92 per 1,000 gal.	\$ 2.17 per TG
Next 5,000,000	\$ 1.48 per 1,000 gal.	\$ 1.73 per TG
Next 10,000,000	\$ 1.31 per 1,000 gal.	\$ 1.56 per TG

¹ The General Pressure Area is defined as the area which can be served from the Crescent Hill/Cardinal Hill water system without additional pumping and storage facilities.

² The Elevated Service Area is defined as the area that cannot be served from the Crescent Hill/Cardinal Hill water system without additional pumping storage facilities. All customers in this area pay an additional \$0.25 per thousand gallons of water for this additional pumping and storage.

2005 SERVICE INSTALLATION FEES

Domestic Service

Service Size	¾"	1"	1 ½"	2"	3" & 4"	6" & larger
Fee	\$450	\$750	\$2,000	\$2,500	\$7,000	Variable Deposit

Fire Service

Service Size	4"	6"	8"	10" & larger
Fee	\$4,000	\$4,500	\$5,000	Variable Deposit

The fee for installation of 6" and larger domestic services and 10" and larger fire services is the estimated cost of the installation at the time of application. It is adjusted to actual cost upon completion of installation, but will not exceed amount of the deposit.

System Development Charge

Service Size	¾"	1"	1 ½"	2"	3"	4"	6" & larger
Fee	\$700	\$1,750	\$3,500	\$5,600	\$11,000	\$17,500	Negotiated

The System Development Charge (SDC) is payable for service connections to water mains installed after January 1, 1992, unless the main was identified in the County-wide Water Extension Plan.

Temporary Service

Meter Assembly Size	¾"	1 ½"
Fee	\$200	\$500

A \$2 per day service fee applies to all temporary services. A portion of the temporary service fee is refundable. \$100 of the ¾" fee, \$400 of the 1 ½" fee is returned to the customer.

Project H Profiles

Site 1 known as Tract 1

- Located on north side of Logistics Drive, approx. 2,800 feet east of Cane Run Road.
- Parcel has frontage on Logistics Drive.
- 12 inch water main in Logistics Drive
- System Development Charge on Logistics Drive.
- Fee for 4 inch domestic connection to Logistics Drive is \$24,500

-Fee calculated as follows:

4 inch domestic service installation fee	\$ 7,000
System development charge for 4 inch service	\$17,500
Total	\$24,500

Fee for a 4 inch fire service connection to Logistics Drive is \$4,000

Site 2 known as Tract 18

- Located at the southwest intersection of Cane Run Road and Greenwood Road.
- Parcel has frontage on Cane Run Road and Greenwood Road.
- 12 inch water main in Cane Run Road.
- Fee for 4 inch domestic connection to Cane Run Road and Greenwood Road is \$7,000.
- Fee for a 4 inch fire service connection to Logistics Drive is \$4,000.

Sample Bill Calculation A

Sample calculation for a customer using 2,100,000 gallons of water per month.

2.1 Million Gallons Per Month Sample Bill*

First 3,000 gallons	\$5.43
Next 3,000 gallons	\$5.94
Next 194,000 gallons	\$434.56
Next 1,300,000 gallons	\$2,730.00
Next 600,000 gallons	\$1,152.00
Monthly meter fee (4 inch meter)	\$151.80
Sub-Total	\$4,479.73
Tax (6%)	\$268.78
Total	\$4,748.51

***Assumptions:**

- Assumes a 4-inch meter to allow sample bill calculation (customer provided sample size)
- Estimate based upon 2,100,000 gallons per month

Sample Bill Calculation B

Sample calculation for a customer using 3,400,000 gallons of water per month.

3.4 Million Gallons Per Month*

First 3,000 gallons	\$5.43
Next 3,000 gallons	\$5.94
Next 194,000 gallons	\$434.56
Next 1,300,000 gallons	\$2,730.00
Next 1,900,000 gallons	\$3,648.00
Monthly meter fee (4 inch meter)	\$151.80
Sub-Total	\$6,975.73
Tax (6%)	\$418.54
Total	\$7,394.27

***Assumptions:**

- Assumes a 4-inch meter to allow sample bill calculation (customer provided sample size)
- Estimate based upon 3,400,000 gallons per month

-----Original Message-----

From: Roxann Fry [mailto:RFry@greaterlouisville.com]

Sent: Monday, October 17, 2005 4:36 PM

To: Patti Kaelin

Subject: RE: Project H consultants visiting 10-20-05

Thanks Patti - I too think first thing in the morning will be the best bet. Will hopefully be able to let you know tomorrow.

Roxann Fry
Greater Louisville Inc.
502.625.0074

From: Patti Kaelin [mailto:pkaelin@lwcky.com]

Sent: Monday, October 17, 2005 4:26 PM

To: Roxann Fry

Subject: RE: Project H consultants visiting 10-20-05

Hi Roxann -

The morning works best for us, or early afternoon.

Thanks - Patti

-----Original Message-----

From: Roxann Fry [mailto:RFry@greaterlouisville.com]

Sent: Monday, October 17, 2005 4:06 PM

To: Patti Kaelin; Sue Green; Payne, Lisa

Subject: Project H consultants visiting 10-20-05

Importance: High

Good Afternoon Ladies,

More last minute requests from the Consultants for Project H. Just learned from the State, that they want to visit Louisville on Thursday, Oct. 20 for meetings with the Utility representatives, Property tours and industry meetings with local HR Managers. Good news is that they will be here for the full day so there is some flexibility on the times of we can meet with them. SO, I wanted to first gauge your availability on Thursday and work around you all for a meeting with these folks. If you can please let me know your time preferences, i.e. first thing in the morning, later in the afternoon, etc., then I'll do my best to accommodate. As of now I'll bundle these utility meetings and hold them here at GLI offices or at Riverport offices. Thanks in advance for your time and attention - and sorry for the short notice as seems to be par for the course on this project.

Best,
Roxann

Roxann Fry
Economic Development Client Solutions Manager

-----Original Message-----

From: Roxann Fry [mailto:RFry@greaterlouisville.com]

Sent: Monday, October 17, 2005 4:34 PM

To: Patti Kaelin; Payne, Lisa; Sue Green

Subject: FW: Project H - community visit

Importance: High

Ladies,

As per my earlier email requesting your time on Thursday, attached is some more detail. Most of the questions from our correspondence last week addresses their utilities needs, now they just want to begin direct dialog. I will be out of the office for a training class tomorrow (bad timing) so if you need to reach me, please call my cell phone at 376-3843. I look forward to hearing from you soon.

Roxann Fry
Greater Louisville Inc.
502.625.0074

From: Erik.Dunnigan@ky.gov [mailto:Erik.Dunnigan@ky.gov]

Sent: Monday, October 17, 2005 4:13 PM

To: Roxann Fry

Subject: FW: Project H - community visit

-----Original Message-----

From: Don.Schjeldahl@theaustin.com [mailto:Don.Schjeldahl@theaustin.com]

Sent: Monday, October 17, 2005 3:53 PM

To: erik.dunnigan@ky.gov

Cc: Frank.Spano@theaustin.com

Subject: Project H - community visit

Erik

Thanks again for helping Austin out on this project. I look forward to seeing you on Thursday morning. Attached are the following:

- A project description and list of data requirements
- A list of employers I would like to meet with on Thursday

My plan is to spend all day Thursday to complete the gathering of data. I suggest we talk Tuesday late afternoon and set a more detailed agenda. What is your availability? Call or email if you have questions.

Don

440-544-2617 direct
330-283-6931 cell

-----Original Message-----

From: Patti Kaelin
Sent: Monday, October 10, 2005 3:14 PM
To: 'Roxann Fry'
Subject: RE: Project H

Roxann -

Hope this is the last piece of info the client is waiting on. If I missed something let me know and we'll give it a priority.

Site 1 - north side of Logistics Drive about halfway between Cane Run Road and Greenbelt Highway.

Assumes tap into Logistics Drive 12 inch water main
- 4 inch domestic service is \$24,500
- 4 inch fire service is \$4,000

Site 2 - northwest intersection of Cane Run Road and Greenwood Road.

Assumes tap into either Greenwood Road 6 inch water main, or Cane Run Road 12 inch water main
- 4 inch domestic service is \$7,000
- 4 inch fire service is \$4,000

Site 3 - northwest intersection of Lees Lane and Paducah and Louisville Railroad.

Assumes tap into Lees Lane 16 inch water main
- 4 inch domestic service is \$7,000
- 4 inch fire service is \$4,000

Thanks again -

Patti Sheehan Kaelin

-----Original Message-----

From: Roxann Fry [mailto:RFry@greaterlouisville.com]
Sent: Friday, October 07, 2005 3:44 PM
To: Patti Kaelin
Cc: Curt Martin
Subject: FW: Project H

Patti - if you have the addresses in questions we'll be glad to get what ever we can on Monday. And would you mind forwarding those locations to me? Thanks a bunch!

Roxann Fry
Greater Louisville Inc.
502.625.0074

-----Original Message-----

From: Dunnigan, Erik (CED) [mailto:Erik.Dunnigan@ky.gov]
Sent: Friday, October 07, 2005 3:28 PM
To: Roxann Fry
Subject: RE: Project H

Tell Patti it will be the same sites we discussed on the phone earlier this week. She has the site maps.

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From: Roxann Fry [mailto:RFry@greaterlouisville.com]
Sent: Friday, October 07, 2005 3:22 PM
To: Dunnigan, Erik (CED)
Subject: FW: Project H
Importance: High

Erik - do you have addresses for the sites they are considering? Need more detail for Water company.

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Greater Louisville Inc.
502.625.0074

-----Original Message-----

From: Patti Kaelin [mailto:pkaelin@lwcky.com]
Sent: Friday, October 07, 2005 3:08 PM
To: Roxann Fry
Subject: RE: Project H

Roxann,
4 - inch domestic service installation fee is \$7,000
4 - inch fire service service installation fee is \$4,000

To calculate the tapping fee I need to know the proposed location of the tap
- in other words what water main will they be connecting to.

If they would like a profile of all 3 sites in question, I need to deliver the request to the Extension and Services Department. I can ask them to complete the request by Monday.

Let me know - thanks, Patti

-----Original Message-----

From: Roxann Fry [mailto:RFry@greaterlouisville.com]
Sent: Friday, October 07, 2005 2:35 PM
To: Patti Kaelin; Sue Green
Subject: FW: Project H
Importance: High

Ladies? Is the below request something you can accommodate?

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Roxann,
The client now needs to know the following:

I need in writing any one-time connection or impact fees based on a 4 inch water and 4 inch sewer meter at the plant and please include all cost breakdowns. If there are no impact or connection fees they need to put it in writing. Also need to know if there are any type of community impact fees based on this project, how they are computed, and any costs.

Plus we still need the sanitary sewer bill and effluent charges.

Thanks for your help,
Erik

-----Original Message-----

From: Roxann Fry [mailto:RFry@greaterlouisville.com]
Sent: Wednesday, October 05, 2005 5:31 PM
To: Erik.Dunnigan@ky.gov
Subject: FW: Project H

Erik
Looks like we now have most of what you've requested for Project H. There will be a bit more forth coming from Metropolitan Sewer District which I'll forward upon receipt. Given the short time line, they're doing their best.

Roxann

-----Original Message-----

From: Sue Green [mailto:GREEN@msdlouky.org]
Sent: Wednesday, October 05, 2005 4:46 PM
To: Roxann Fry; pkaelin@lwcky.com
Cc: David Carty; Alex Novak; Randy Stambaugh
Subject: Re: FW: Project H

Hi, Roxann,
I'm sorry there won't be complete response today. There are different sections of MSD that have to answer the questions:

Development team-- for sewer capacity
Treatment plant operations-- for treatment capacity of the specified pollutant discharge levels

The msd web page does have the "Rates Rentals and Charges" and also the "Wastewater/Stormwater Dishcharge Regulations" that are standard for everyone. I've attached a copy of each. They demonstrate the pollutant limits for the West County Wastewater Treatment Plant and the costs to the user.

-----Original Message-----

From: Patti Kaelin [mailto:pkaelin@lwcky.com]
Sent: Wednesday, October 05, 2005 4:48 PM
To: Roxann Fry
Subject: FW: Project H

Roxann --

A). I attached the following:

1). Sample bills based upon the two consumptions scenarios, 2). A rate/fee schedule just as an fyi, and 3). A general information sheet, again, just as an fyi.

B). Two more informational items:

1). Based upon the locations and estimated usages presented above of 2-3 million gallons per month, LWC has adequate capacity to handle current and future proposed consumption for this project.

2). Please be aware that what is attached is consumption charges/rates. There are service installation fees associated with whatever size service is selected. For example a 2-inch domestic service has a fee of \$2,500. In addition, certain water mains have fees associated with tapping the mains. These fees vary greatly based upon time of main installation and method of installation.

Once your client has a specific location identified, please ask them to call me so that we can work directly with them. We will be able, at that time to give them detailed information on their fees for the size domestic and/or fire service they have selected, and the fees specific to the main they want to tap. We hope this will aid in their decision making.

Please call me if there is anything else you need. Thank you.

Patti Sheehan Kaelin

-----Original Message-----

From: Roxann Fry [mailto:RFry@greaterlouisville.com]
Sent: Wednesday, October 05, 2005 1:24 PM
To: pkaelin@lwcky.com; Green@MsdLouky.org
Subject: FW: Project H

Ladies, I just found out that the State wanted our response by COB today. Any chance that can happen? If not, please let me know when you

might be able to return the info. Sorry for the rush and thanks for your help!

-----Original Message-----

From: Roxann Fry
Sent: Tuesday, October 04, 2005 10:29 AM
To: 'Patti Kaelin'; 'green@msdlouky.org'
Subject: FW: Project H

Good morning Patti and Sue,
I have just been notified of a new project considering Riverport as a new site option. Will you please review the attached detail and respond accordingly? If you'll send me your information, I'll include it with the other details they've requested.

Best regards,
Roxann

Roxann Fry
Greater Louisville Inc.
502.625.0074

-----Original Message-----

From: Erik.Dunnigan@ky.gov [mailto:Erik.Dunnigan@ky.gov]
Sent: Tuesday, October 04, 2005 10:12 AM
To: Roxann Fry
Subject: Project H

Roxann,
Good Morning! I hope all is well. I have submitted the Jefferson Riverport and Louisville site 111-017 for another project and the consultant is now requesting some additional water/sewer data. Please see the attached document and send responses to me. In addition, feel free to give me a call so we can discuss the project.

Thanks,
Erik
(502)564-7140

<<Project H water sewerEstimates.doc>>

-----Original Message-----

From: Patti Kaelin
Sent: Monday, October 10, 2005 3:14 PM
To: 'Roxann Fry'
Subject: RE: Project H

Roxann -

Hope this is the last piece of info the client is waiting on. If I missed something let me know and we'll give it a priority.

✓ Site 1 - north side of Logistics Drive about halfway between Cane Run Road and Greenbelt Highway.

✓ Assumes tap into Logistics Drive 12 inch water main
✓ - 4 inch domestic service is \$24,500
- 4 inch fire service is \$4,000

✓ Site 2 - northwest intersection of Cane Run Road and Greenwood Road.

✓ Assumes tap into either Greenwood Road 6 inch water main, or Cane Run Road 12 inch water main
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Thanks again -

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Cc: David Carty; Alex Novak; Randy Stambaugh

-----Original Message-----

From: Patti Kaelin

Sent: Wednesday, December 07, 2005 11:18 AM

To: 'wcassady@jeffrvrpt.win.net'

Subject: Riverport Request

Wayne --

Please let me know if you need information in addition to what is below.

Assumptions --

- Site in question is south of Port Road, north of Greenwood Road, and west of Cane Run Road.
- Parcel will have fee simple frontage on Cane Run Road.
- Cane Run Road 12 inch water main will be tapped.
- Customer indicates 1700 gallons per minute (GPM) needed
- Based upon 1700 gpm, 6 inch meter size used for sample calculations. Customer to select actual size.

Capacity of line --

-a 12 inch water main is designed to deliver 2.5 million gallons per day (MGD) flow in one direction. However, due to the extensive gridding in the Riverport area, the actual capacity of the 12 inch main in Cane Run Road could be greater. Flow data available in the area indicates there is a range of 6.8 – 16 MGD nearby. Flow tests for this specific site can be performed upon request.

Capacity of system --

-Louisville Water Company has two water treatment plants. The capacity of the Crescent Hill Plant is 180 MGD, and the BE Payne Plant is 60 MGD.

Average day utilization and peak utilization--

-The average daily pumpage is 127 MGD. Summer 2005 LWC pumped a single day peak usage of 205 MGD.

Excess capacity --

-Based upon maximum single day usage of 205 MGD, the excess reserve capacity available is 35 MGD.

Water Meter-

-Based upon 1700 GPM, a 6 inch domestic meter is assumed.

Fees --

-There is not a fee to tap the water main in Cane Run Road, and there is not a system development charge to tap this same main. The only fee associated with a 6 inch domestic meter/service tapping Cane Run Road is the installation fee. The customer pays actual cost on a 6 inch installation. Generally, the 3 year average cost for this size meter is \$11,100.

Finally, Louisville Water Company maintains a vigorous Capital Improvement Program. The Board of Water Works recently approved a \$73 million 2006 Capital Expenditures Plan. The Company is heavily committed in the areas of system improvements, growth related improvements and infrastructure renewal.

If you need additional information, or have any questions please contact me.



LOUISVILLE WATER COMPANY

550 SOUTH THIRD STREET • LOUISVILLE, KENTUCKY 40202

TEL 502-569-3600

WWW.LOUISVILLEWATER.COM

March 24, 2005

Mr. Neal Simon
James N. Gray Co.
10 Quality Street
Lexington, KY 40507-1450

File
Neal Simon

Re: Jefferson Riverport International

Dear Mr. Simon:

As a follow up to our telephone conversation, I would like to offer the following information about Louisville Water Company.

Louisville Water Company, chartered in 1854 as a municipal corporation, is a nationally recognized utility with demonstrated technical competence in all areas of water utility management. The Company has been an industry leader in dealing with legislation and regulations under the U.S. EPA-administered Safe Drinking Water Act, and continuously maintains a vigorous research program to effectively deal with possible future requirements of State and Federal regulations. The Company currently surpasses all applicable standards for drinking water.

The Louisville Water Company's raw water source is the Ohio River, an abundant, reliable supply. This source will meet all anticipated supply requirements beyond the 21st century.

The Louisville Water Company owns and operates two water treatment plants with reserve capacity. The Crescent Hill Treatment Plant can produce a firm capacity of 180 million gallons per day (MGD). The firm capacity for production at the B.E. Payne Treatment Plant is 45 MGD. The combined design capacity for both plants is 300 MGD. The present average daily pumpage is 127 MGD. The maximum recorded single day usage is 197 MGD (1999).

You have indicated your client is interested in the following two sites in Jefferson Riverport International:

- 1) A parcel known as lot 215 on Freeport Drive

We have a fire flow test conducted May 2000, in the area of Tradeport Drive and Greenbelt Highway. This test indicated Freeport Drive should have a static of 91 PSI, with flow that exceeds 10,000 GPM, available at a residual pressure of 20 PSI. There is currently a 12 inch water main in Freeport Drive.

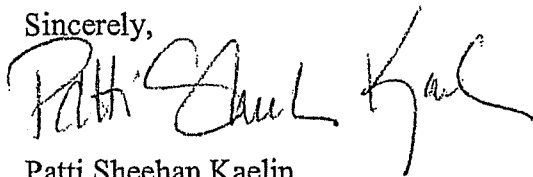
Mr. Neal Simon
March 24, 2005
Page 2

- 2) A parcel on the west side of Cane Run Road between Global Drive and Winstead Drive.

We have a fire flow test conducted October 1997, about 1,000 feet south of Global Drive on Cane Run Road. This test indicated Cane Run Road should have a static of 85 PSI, with flow that exceeds 6,000 GPM, available at a residual pressure of 20 PSI. However, due to additional mains installed in the area since this test, Cane Run Road should now have a static of 90 PSI.

Additional fire flow testing is available in these areas upon request. If you have any questions please call me at 502.569.3600.2262, or Bob Kennedy at 502.569.3600.2286. I hope this information is helpful, and we look forward to working with you and your client.

Sincerely,



Patti Sheehan Kaelin
Manager Business Development

C: Larry McFall – Jefferson Riverport International





Louisville Water Company
550 South Third Street
Louisville, Kentucky 40202
(502) 569-3600

General Information

The Louisville Water Company, chartered in 1854 as a municipal corporation, is a nationally recognized utility with demonstrated technical competence in all areas of water utility management. The Company has been an industry leader in dealing with legislation and regulations under the U.S. EPA-administered Safe Drinking Water Act and continuously maintains a vigorous research program to effectively deal with future State and Federal regulations. The Company currently exceeds all standards for drinking water.

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The Louisville Water Company establishes rates on cost of service principles established by the American Water Works Association. The Company maintains competitive water rates, with the five-year forecast indicating favorable rate levels compared to projected cost-of-living increases. The average residential customer pays a monthly bill of \$16.45 for 6,000 gallons of consumption. The Company bills retail customers on a bi-monthly schedule.

The Louisville Water Company serves over 261,000 customer accounts through nearly 3,500 miles of water mains and over 23,000 fire hydrants. In addition to those retail customer accounts, it also serves five nearby water utilities on a wholesale basis.

The Louisville Water Company maintains a vigorous Capital Improvement Program. This Capital Improvement Program is heavily committed in three core areas.

- Infrastructure Replacement and Rehabilitation
- Water Transmission Mains
- Water Treatment Plant and Distribution System Storage Improvements

**LOUISVILLE WATER COMPANY
2005 WATER CONSUMPTION RATES**

	GENERAL PRESSURE AREA¹	ELEVATED SERVICE AREA²
First 3,000	\$ 1.81 per 1,000 gal.	\$ 2.06 per TG
Second 3,000	\$ 1.98 per 1,000 gal.	\$ 2.23 per TG
Next 194,000	\$ 2.24 per 1,000 gal.	\$ 2.49 per TG
Next 1,300,000	\$ 2.10 per 1,000 gal.	\$ 2.35 per TG
Next 3,500,000	\$ 1.92 per 1,000 gal.	\$ 2.17 per TG
Next 5,000,000	\$ 1.48 per 1,000 gal.	\$ 1.73 per TG
Next 10,000,000	\$ 1.31 per 1,000 gal.	\$ 1.56 per TG

¹ The General Pressure Area is defined as the area which can be served from the Crescent Hill/Cardinal Hill water system without additional pumping and storage facilities.

² The Elevated Service Area is defined as the area that cannot be served from the Crescent Hill/Cardinal Hill water system without additional pumping storage facilities. All customers in this area pay an additional \$0.25 per thousand gallons of water for this additional pumping and storage.

LOUISVILLE WATER COMPANY

2005 WATER CONSUMPTION CHARGE

The charge for monthly¹ usage shall be computed in accordance with the following schedule:

	General Pressure Area ²	Elevated Service Area ³
First 3,000 gallons	\$1.81 per 1,000 gallons	\$2.06 per 1,000 gallons
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Over 10,000,000 gallons	\$1.31 per 1,000 gallons	\$1.56 per 1,000 gallons

2005 MONTHLY SERVICE CHARGE⁴

5/8-3/4" Meter.....	\$ 5.06	6" Meter	\$ 354.20
1" Meter.....	\$ 12.65	8" Meter	\$ 632.50
1 1/2" Meter.....	\$ 25.30	10" Meter.....	\$ 961.40
2" Meter.....	\$ 40.48	12" Meter	\$ 1,467.40
3" Meter.....	\$ 88.55	16" Meter.....	\$ 2,909.50
4" Meter.....	\$151.80		

FIRE SERVICE CHARGES

Fire Service Size	4"	6"	8"	10"	12"
Monthly Charge	\$13.85	\$27.69	\$53.78	\$105.97	\$212.73

All charges are subject of a 5% penalty if delinquent 20 days after billing date.

¹ The Louisville Water Company bills customers on a bi-monthly schedule. Monthly billing can be arranged in some circumstances.

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⁴ Multiple meter customers can receive a combined bill that would include a single service charge based on combined meter size.

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August 21, 2007

Mr. Marc Williams, PE, Commissioner
Kentucky Transportation Cabinet

RE: Use of I-64 Right-of-Way for Water Supply Pipeline

Dear Marc:

As you can imagine a reliable water supply is critical to Lexington and Central Kentucky. A safe and effective transportation network is equally important to the residents of Central Kentucky.

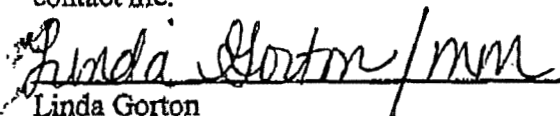
Officials with the Louisville Water Company have developed a proposal to construct a pipeline from Louisville into Central Kentucky supplying us with treated water from the Ohio River. They have proposed utilizing right-of-way along the I-64 corridor.

Officials with Kentucky American Water have cautioned the local government that the Kentucky Transportation Cabinet may not grant an encroachment permit to the Louisville Water Company or any entity allowing a pipeline to be constructed within the I-64 ROW. They refer to a comparable proposal in the early 1990's that would have also used the I-64 ROW for a similar pipeline from Louisville to Lexington that was not supported by the Transportation Cabinet.

As Chair of the Urban County Council Planning Committee I am asking for your input. Would the Transportation Cabinet consider an encroachment permit application from the Louisville Water Company as described above? If yes, what criteria would be used to evaluate such a proposal? Any other thoughts on this matter would be greatly appreciated.

I completely understand that any comments the Transportation Cabinet would have at the present would be preliminary until you at least received an encroachment permit from Louisville Water. However, I would not want to expend time and other resources on a proposal that the Cabinet could not support. Conversely I would not want to reject any proposal without having your input.

I look forward to your response. If you need any further information please do not hesitate to contact me.

A handwritten signature in dark ink, appearing to read "Linda Gorton/mm". The signature is written over a horizontal line.

Linda Gorton
Councilmember-At-Large

Cc: Greg Heitzman, Louisville Water Company
Nick Rowe, Kentucky American Water Company
Tom Caulkins, Bluegrass Water Commission

Kathie Johnson

From: Recktenwald, Roger - KACo [roger.recktenwald@kaco.org]
Sent: Wednesday, September 12, 2007 9:05 AM
To: Greg Heitzman
Subject: Right of way / encroachment
Attachments: Transmission-Collection Main--draft legislation 8-27-07.doc

Greg, received your call but was still in a meeting – had good intent to return it Friday....

Two issues:

1. Dug much deeper (no pun) into the possibility of use of interstate right of way for buried utility... both via the Federal Highway Administration's Kentucky office, who were civil but directed me to Greg Smith, KTC Director of Right of Way & Utilities. (502-564-3210) 'Technically' there are limited options, but in practice there are virtually none. Tried multiple approaches, having KTC acquire additional right of way adjacent and parallel to existing... having KTC acquire enough area during purchasing for new either interstate or state, even extensive renovation ----all to no avail. Even if the utility could afford to purchase a parallel tract, all access and 'potential damage to roadway' issue obviously still apply. Would require legislative changes at state and federal level. I cited the fact that federal DOT regulates other pipeline transport, gas, oil, etc,...and displays some tendency for advocacy....No takers. Every other word in several conversations was "safety" and its obviously applied in all stages, in the period when access is required for initial construction as well as maintenance/repair. Used the analogy of the installation of 'wicking' they have contractors install at edge of metal... 'contents not under pressure' therefore not an issue. This was consistent, in that while not excited about allowing any 'extern' on site for initial construction, they was most -- and reasonably -- concerned about the safety and potential damage issue of '...if it gets loose...' Even with high cost planned and constructed drainage diversions, etc.... No takers.

In sum, it became apparent that for KTC long, parallel encroachments were a logical construct only, and only in the most dire circumstance and only for extremely short distances would they ever consider the possibility of a parallel line on their right of way.

2. The attached draft legislation is the latest attempt to address the issue of local control over local access to transmission mains traversing a county. This is still in conceptual stage.

Good luck! R.

Roger Recktenwald
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9/12/2007



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September 25, 2007

Mr. Greg Heitzman, P.E.
President
Louisville Water Company
435 South Third St.
Louisville, KY 40202

Re: Interstate Encroachment of Utilities
Lexington-Fayette Urban Co. Govt.
GRW No. 0105

Dear Greg,

In follow up to our brief phone conversation concerning encroachment of utilities on Interstate I-64, I have enclosed a chapter from the Utilities and Rail Manual for Highway Design, Kentucky Transportation Cabinet. Four criteria must be demonstrated before the approval process can initiate, these are:

1. The accommodation will not adversely affect the safety, design, construction, operation, maintenance, or stability of the freeway.
2. The accommodation will not be constructed and/or serviced by direct access from the through traffic roadways or connecting ramps.
3. The accommodation will not interfere with or impair the present use or future expansion of the freeway.
4. Any alternative location would be contrary to public interest.

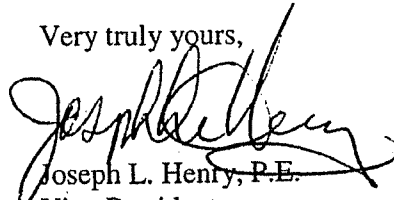
The Lexington-Fayette Urban County Government (LFUCG) will be initiating construction of a 30" force main along I-75 right-of-way, between US 60 @ Winchester Rd. and US 27, near Paris Pike. GRW prepared a summary of alternatives for the LFUCG demonstrating the above criteria, presenting a design concept of safety barriers and road signing, and a request to construct. Numerous meetings with the Kentucky Transportation Cabinet (KYTC), Federal Highway Administration (FHWA), and LFUCG were conducted. The request was submitted to the KYTC in the form of an "Encroachment Permit". Upon submittal, the LFUCG Mayor, Kentucky Transportation Cabinet Secretary, and the Governor's Office became involved in the process. The resulting timeframe was approximately 24 months from initial discussions to permit approval.



Mr. Greg Heitzman, P.E.
September 25, 2007
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I hope this information assists with your efforts. If I can be of any further assistance, please do not hesitate to call.

Very truly yours,



Joseph L. Henry, P.E.
Vice-President

Enclosure

CHAPTER 69-01

UTILITY ACCOMMODATION POLICY

69-01.0100 PURPOSE AND SCOPE

The purpose of this document is to prescribe the policies and conditions relating to the accommodation of utility facilities within the right-of-way limits of the roads and streets within the Kentucky State Highway system.

The policies contained herein apply to the facilities of all railroads and utilities operating in the State of Kentucky with the exception of utility lines necessary for servicing highway facilities.

.0110 Definition of Terms - Some of the terms used in this policy are defined below and conform generally to the approved definitions of highway terms as adopted by the American Association of State Highway **and Transportation** officials and the definitions used in the report of the American Society of Civil Engineers Committee on pipeline crossings of highways.

1. Arterial Highway - A general term denoting a highway primarily for through traffic usually on a continuous route.
2. Backfill - Replacement of soil around and over a pipe.
3. Bedding - Organization of soil to support a pipe.
4. Bury - Depth of top of pipe below grade of roadway or ditch.
5. Carrier - Pipe directly enclosing a transmitted fluid (liquid or gas).
6. Casing - A larger pipe enclosing a carrier.
7. Conduit or Duct - An enclosed tubular runway for protecting wires or cables.
8. Control of Access - The condition where the right of owners or occupants of abutting land or other persons to access, light, air, or view in connection with a highway is partially or fully controlled by public authority.
9. Full Control of Access - Means that the authority to control access is exercised to give preference to through-traffic by providing access connections with selected public roads only and by prohibiting crossings at grade or direct private driveway connections.
10. Partial Control of Access - Means that the authority to control access is exercised to give preference to through traffic to a degree that, in addition to access connections with selected public roads, there may be some crossings at grade and some private driveway connections.
11. Control of Access by Permit - Means that the right of access is regulated by permit according to policies of the State Transportation Cabinet.

CHAPTER 69-01

69-01.0100 PURPOSE AND SCOPE (Cont.)

12. Encroachment - Use of highway right-of-way or easements as for signs, fences, buildings, etc., either authorized or unauthorized.
13. Expressway - A divided arterial highway for through-traffic with full or partial control of access and generally with grade separation at major intersections.
14. Freeway - An expressway with full control of access.
15. Frontage Road - A local street or road auxiliary to and located on the side of an arterial highway for service to abutting property and adjacent areas and for control of access.
16. Gallery - An underpass for two or more pipelines and/or other utilities.
17. Roadway - The portion of a highway, including shoulders, for vehicular use. A divided highway has two or more roadways. (In Construction Specifications - the portion of a highway within limits of construction).
18. Sleeve - Short casing through pier or abutment of highway structure.
19. Traveled Way - The portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.
20. Use and Occupancy Agreement - The document by which highway authority regulates and/or gives approval of the use and occupancy of highway rights-of-way by utility facilities or private lines.

69-01.0200 GENERAL POLICY FOR UTILITY INSTALLATIONS

Utilities shall be permitted to cross any road or highway with certain restrictions. To the extent practicable, they should cross on a line generally perpendicular to the highway alignment and preferable under the highway.

Existing facilities which cross the right-of-way at a number of points within the same general area should be combined so far as practicable to reduce to a minimum the total number of crossings.

Consideration shall be given to the effect of utility installations with regard to safety, aesthetics, operational characteristics of the highway and cost of utility construction and maintenance in accordance with FHPM 6-6-3-2, Accommodation of Utilities. See Addendum No. 4.

69-01.0300 POLICY FOR UTILITY INSTALLATIONS ON INTERSTATE AND OTHER FULLY CONTROLLED ACCESS HIGHWAYS

Generally, a utility will not be permitted to be installed longitudinally within the control of access lines of interstate or other fully controlled access highways. Exceptions may be allowed only in instances where the utility owner can show that:

69-01.0300 POLICY FOR UTILITY INSTALLATIONS ON INTERSTATE AND OTHER FULLY CONTROLLED ACCESS HIGHWAYS (Cont.)

- (1) The accommodation will not adversely affect the safety, design, construction, operation, maintenance or stability of the freeway;
- (2) The accommodation will not be constructed and/or serviced by direct access from the through traffic roadways or connecting ramps;
- (3) The accommodation will not interfere with or impair the present use or future expansion of the freeway; and
- (4) Any alternative location would be contrary to the public interest. This determination would include an evaluation of the direct and indirect environmental and economic effects **including but not limited to the loss of any productive agricultural land or productivity of any agricultural land** which would result from the disapproval of the use of such right-of-way for the accommodation of such utility.

Utilities may be located along frontage roads **or utility strips** where they can be serviced without access from the through-traffic roadways or ramps.

.0310 Utility Crossings at Grade Separation Structures - Where a utility follows a crossroad, street or railroad, which is carried over or under an interstate or other fully controlled highway, the utilities are to be located within the normal right-of-way of the existing or relocated crossroad, street or railroad. They may cross over or under the interstate highway, or be carried on or through the highway grade separation structure, provided installation and servicing thereof can be accomplished without access from the interstate through-traffic roadways or ramps. Where distinct advantage and appreciable cost saving is effected by locating the utilities outside the normal right-of-way of the crossroad, street or railroad, they may be located and treated in the same manner as utility lines crossing the interstate highway at points removed from grade separation structures.

.0320 Overhead Utility Crossings - Overhead utility lines crossing an interstate or other fully controlled highway outside the normal right-of-way of a crossroad, street or railroad should be adjusted so that supporting structures are located outside of the control of access lines. In any case, a clear zone shall be provided as designated in the current edition of the AASHTO publication "Guide for Selecting, Locating and Designing Traffic Barriers." Supporting poles must be a minimum of 30 feet beyond the edge of the shoulder. Supporting poles shall not be placed in medians 80 feet or less in width. Where right-of-way lines and control of access lines are not one and the same, supporting poles may be located on right-of-way outside the controlled access right-of-way. In extraordinary cases where such spanning the roadway is not feasible, consideration should be given to conversion to underground facilities to cross the interstate or other fully controlled highway.

The vertical clearance of overhead utility lines crossing an interstate or other fully controlled highway shall be a minimum of 24 feet, as required by the state, but in no case less than the clearance required by the National Electrical Safety Code, U. S. Department of Commerce, National Bureau of Standards.

August 25, 1989

69-01.0300 POLICY FOR UTILITY INSTALLATIONS ON INTERSTATE AND OTHER FULLY CONTROLLED ACCESS HIGHWAYS (Cont.)

At interchange areas, in general, supports for overhead utilities will be permitted only where all of the following conditions are met:

- (1) The above indicated clearances are met.
- (2) There is a lateral clearance of at least 20 feet from edge of ramp shoulder.
- (3) Essential sight distance is not impaired.
- (4) The utility can be serviced without direct access from the through-traffic roadway and ramps of the interstate or other fully controlled highway.

.0330 Underground Utility Crossing - Underground utility crossings of interstate or other fully controlled highways shall be so installed as to virtually preclude any necessity for disturbing the roadways to perform maintenance or expansion operations. Encasement of utility lines under the highway rights-of-way shall be required except in unusual circumstances where encasement is not feasible or the Department does not consider it necessary; and in such cases, special design may be considered. The minimum depth of bury shall be 30" under the roadways, ramps and ditches; and 18" in other areas.

Valves, vents, drips, blow-offs, etc., shall be located outside the right-of-way. Provisions shall be made so that these facilities will be maintained without access from through-traffic roadway or ramps.

Encasement may be constructed of concrete, steel or iron pipe of sufficient size that will allow the carrier pipe to be removed or replaced, if necessary.

The following are construction methods where encasement need not be required by the Department:

- (1) Cathodically protected carrier pipe that is coated and wrapped by a substantial girdling cover and is of sufficient oversize in case of failure that a smaller carrier pipe can be placed in the same. (For example, if the carrier pipe on each side of the encasement area is 12" in diameter, the carrier pipe within the right-of-way limits should be 18" in diameter).
- (2) Coated and wrapped cathodically protected carrier pipe with extra heavy wall thickness within the right-of-way limits in accordance with current U.S.A. Standard Code for Pressure Piping, Gas Transmission and Distribution Piping Systems.

Pavements, shoulders, roadways, or ramps shall not be excavated by the open trench method, except where there is no alternative and then only with the approval of the Department and the Federal Highway Administration. Where applicable, the methods that will be utilized in lieu of open entrenchment are augering, jacking, boring, pushing and tunneling. All overbreaks and voids shall be filled with suitable materials approved by the Chief District Engineer.

Utility lines, such as water, gas, sewer, telephone, and power are not to be placed in or through existing drainage structures.

CHAPTER 69-01

69-01.0300 POLICY FOR UTILITY INSTALLATION ON INTERSTATE AND OTHER FULLY CONTROLLED ACCESS HIGHWAYS (Cont.)

Where an underground utility already exists within the proposed right-of-way of a freeway and the grade elevation is such that it need not be relocated, it may remain provided it can be serviced, maintained and operated without access from the through traffic roadways or ramps and it does not adversely affect the safety, design, construction, operation, maintenance or stability of the freeway. Consideration must be given to the existing alignment, the adequacy of design, the strength and longevity of materials, in determining whether the utility is to remain, be rehabilitated in the same location, or be relocated.

69-01.0400 POLICY FOR UTILITY INSTALLATION ON OTHER THAN FULLY CONTROLLED ACCESS HIGHWAYS

Utilities may be permitted to install facilities longitudinally within, as well as across, the right-of-way limits of other than fully controlled access highways, provided they do not interfere with the safe use of the roadway, median, and shoulder areas and will not interfere with maintenance operations or aesthetics.

.0410 Overhead Utilities Installed Longitudinally - Poles or towers having no crossarms are to be located not more than 18 inches inside the right-of-way line, except for offsets in the right-of-way line due to high fills, deep cuts or other obstructions. Utility poles having crossarms will be located not more than five feet inside the right-of-way lines, except for offsets in the right-of-way line.

On highway projects where curb, gutter and sidewalks are provided, overhead utilities shall normally be located behind the sidewalk away from the roadway. The grass strip between the sidewalk and the curb will normally be reserved for underground utilities. (Also, see Section 69-01.0700 - Safety Consideration).

.0420 Overhead Utility Crossings - The vertical clearance of an overhead utility crossing of a highway other than a fully controlled highway shall be a minimum of 18 feet; but in no case, shall the clearance be less than the requirements of the National Electrical Safety Code, U. S. Department of Commerce, National Bureau of Standards.

.0430 Underground Utilities Installed Longitudinally - Underground utilities installed longitudinally within the right-of-way limits of highways, other than fully controlled access highways, shall be buried to a minimum depth of 18 inches. Exceptions may be made only where the terrain is such that this requirement would prove impractical and where location of pipelines on the surface would not interfere with highway maintenance, safety or aesthetics.

1. New or relocated utilities installed longitudinally shall be located back of the ditch line and toe of slope as near the right-of-way line as practical. Where curb and gutters are provided, underground utilities may be located in the utility strip immediately back of the curb. On divided highways with medians, special circumstances may warrant location of longitudinal utility lines in the median strip.

69-01.0400 POLICY FOR UTILITY INSTALLATION ON OTHER THAN FULLY CONTROLLED ACCESS HIGHWAYS (Cont.)

2. Existing longitudinal storm sewers, sanitary sewers, combination storm sanitary sewers, telephone conduits, power conduits, water lines, oil lines, or other type utility lines may be permitted to remain under pavement and shoulder area, when the Department is satisfied that the facilities will be maintenance free in so far as the necessity for cutting or disturbing the pavement and shoulder areas. Any required manholes for such facilities should be relocated outside of intersection areas so as to minimize any interference with traffic. Distribution and service lines constructed of maintenance free materials and in good condition may remain under a proposed pavement, provided full provision is made for all future service requirements by stubbing out service lines on either side of the new construction prior to placing the proposed pavement.
3. Generally, new facilities are not to be installed longitudinally under proposed pavement and shoulder areas. Only when there is no other practicable location available may any new facility be placed under the pavement or shoulder area. In the event such an installation is allowed, it must be constructed of long life materials which are expected to be maintenance free with all possible provisions made to minimize the likelihood of having to cut the pavement or interfering with traffic in the future.
4. The Department will design its roadway and drainage facilities in an effort to accommodate utilities within the right-of-way where practical taking into consideration the cost and inconvenience to the traveling public. The needs of the Highway Department with respect to this entire matter shall be considered first, but if at all possible, the needs of utility companies shall be given consideration in the location of storm sewers and other highway facilities.

.0440 Underground Utility Crossings - Underground utility crossings of roads or highways other than fully controlled access highways shall be so installed as to virtually preclude any necessity for disturbing the roadway to perform maintenance or expansion operations. Underground utilities shall be constructed of materials which may be expected to render long trouble free life; and in most cases, shall be encased to allow removal and replacement without the necessity of cutting the pavement.

No construction method that allows voids in the roadway foundation will be permitted. If boring or augering methods are used, encasement will be required, unless the carrier pipe is constructed of a continuous-uniform diameter which is the same size as the bored or augered hole. The encasement pipe must be of sufficient size and joint design that will allow the carrier pipe to be removed or replaced, if necessary, and shall extend from toe of fill or to back of the ditch line. No bell and spigot pipe nor other pipe that does not have a uniform outside diameter will be permitted in bored or augered installation unless they are encased.

CHAPTER 69-01

69-01.0400 POLICY FOR UTILITY INSTALLATIONS ON OTHER THAN FULLY CONTROLLED ACCESS HIGHWAYS (Cont.)

Encasement is not necessary, if the carrier pipe has continuous-uniform outside diameter which is the same size as the bored or augered hole and if the proposed work is to be constructed with materials and by methods (for road crossings, where applicable) in accordance with the following standards:

- (1) USA Standard Code for Pressure Piping, Gas Transmission and Distribution Piping System.
- (2) USA Standards for water pipe (different pamphlets cover specific materials).

It must be understood by the utility company that in the event of a failure in the line not encased, the company may be required to abandon the existing line and install a new crossing by boring, augering, tunneling or pushing.

The preferred methods to be employed in underground installations are augering, jacking, boring, pushing and tunneling. Pipe lines or other utility crossings beneath the pavements shall have sufficient connections so that repairs may be made without disturbing the roadway surface. Manholes and other points of access to underground utilities may be permitted within the right-of-way, if located so as to not interfere with maintenance of the roadway facility or present safety hazards to the road users.

Pavements, shoulders, roadways or ramps shall not be excavated by the open trench method, except with the approval of the **Department** and the Federal Highway Administration (where applicable). Surface restoration, when open trenching is allowed, shall be done in accordance with Exhibit 69-01. Backfilling and bedding details shall be in accordance with the Department's Standard Drawings No. RDI-020, RDI-001, and RDI-003. (Exhibits 69-02 and 69-02A).

69-01.0500 COST PARTICIPATION

Utilities located on publicly owned right-of-way by franchise, sufferance or permit shall be adjusted, removed or relocated at the expense of the owner, except that on federal-aid highway projects the Department is obligated to bear the expense of relocating all facilities owned by a municipality or a municipally owned utility, or a water district established pursuant to Chapter 74 or a sanitation district established pursuant to Chapter 220 of the Kentucky Revised Statutes.

The Department will pay for the relocation of utilities from privately owned right-of-way where such relocation is required to accommodate the construction of a proposed highway project. The Department will not pay for any relocation or adjustment of facilities occasioned solely for the convenience of a contractor.

When a utility company proposes to perform work on the Department's right-of-way, entirely at its own expense, Form TC 99-1 (Exhibit 69-03) will be used to process applications for access permits. If a utility is being partially relocated from private right-of-way to accommodate highway construction, the Department participates in the cost of the relocation and enters into an agreement which outlines the work and amount of participation. A permit is not required for work on the Department's right-of-way, which is covered in a utility agreement. The approved utility agreement is considered to constitute a permit for any utility facilities covered by the agreement and the terms and conditions of Form TC 99-1 are considered to be incorporated therein by reference.

.0610 Responsibility for Processing - Responsibility for processing permits for a project in the design phase rests with the Division of Design. It is essential that permits applied for on projects in the design stage be submitted as early as possible in order that the proposed location of any permitted facilities covered by approved permits may be shown on the Transportation Cabinet's proposed construction plans.

Any permit for a completely new facility which is not approved in time to show the proposed location on the Department's plans prior to the PS&E date on federal aid projects or prior to the advertisement on non-federal aid projects, will be held without action until the project is advertised and the highway construction contract has been awarded. At that time, the application will be transmitted to the District **Engineering Branch Manager** for Construction for processing. (See Division of Construction Guidance Manual.)

Processing of permits submitted on active construction projects will be the responsibility of the District **Engineering Branch Manager** for Construction and approval of such permits will be discretionary with the Division of Construction. Approval will normally not be given, unless the proposed work of the applicant can be coordinated with the highway contractors operations in such way as to cause little or no delay to the highway contractor. Processing of permits becomes the responsibility of the Division of **Traffic** on all projects, after construction has been completed and the project has been formally accepted for maintenance.

.0620 Revocation or Modification - Any permit granted by the Department, in accordance with this manual, is subject to revocation or modification by the Department, in accordance with KRS 177.106. At any time the Department finds that a permitted facility interferes with the safe, convenient and continuous use and maintenance of the state's right-of-way upon, over and under which encroachment is located, the permit may be revoked or modified.

69-01.0700 SAFETY CONSIDERATIONS

The Department of Highways and Federal Highway Administration's design criteria provide for safer roadways. One requirement for a safer roadway is to provide for a roadside clear zone where practical. This is an area at least 30' from the edge of through-travelway free of all obstacles that might result in an accident to an out-of-control vehicle. Generally, this criteria will apply to any project with a design speed of 50 mph or greater. Additional guidance on desirable roadside clearances can be found in AASHTO's "Guide for Selecting, Locating, and Designing Traffic Barriers."

69-01.0700 SAFETY CONSIDERATIONS (Cont.)

Above ground utility obstructions cannot be permitted to remain or relocate within the roadside clear zone where slopes are 4:1 or flatter. Exceptions may be made only where the utility facility is incidentally shielded by an adequate guardrail or other protection designed to insure the safety of motorists against some other hazard.

Traffic controls for construction and maintenance operations shall conform with the Manual on Uniform Traffic Control Devices. All construction and maintenance operations shall be planned with full regard to safety and keep traffic interference to an absolute minimum. On heavily traveled highways, construction operations interfering with traffic will not be allowed during periods of peak traffic flow. Any such work should be planned so that closure of intersecting streets, road approaches, or other access points is held to a minimum.

Safety considerations relative to energized electrical distribution and transmission lines carrying a load of up to 40,000 volts shall be as follows:

When it becomes necessary for the Department to perform maintenance work in the vicinity of any energized facility within the right-of-way of any roadway, it shall be the responsibility of the owner(s) or authorities of the facility, upon request by the Department, to establish or cause to be established at their expense, insulating barriers (that are not a part of or an attachment to the equipment being used) to prevent physical contact with the lines or electrical arcing from the lines to equipment or machinery.

The insulating barriers must be of such thickness and quality to prevent injury or death to Department personnel, if the insulated lines come in contact with maintenance machinery or equipment.

When it becomes necessary for Department of Highway personnel to perform maintenance work with high-rise equipment in the vicinity of energized electrical lines with voltage in excess of 40,000 volts, a representative of the Department shall meet with a representative of the electrical facilities to determine the solution in each particular instance. If necessary, the utility company may be required to raise the electrical lines to a safe height to allow necessary work to be accomplished or the utility company may be required to de-energize or relocate their facility to provide safe working conditions for Department equipment and personnel.

69-01.0800 MISCELLANEOUS

Drainage - Care should be exercised by utility companies to avoid disturbing existing drainage facilities. Underground utility facilities should be backfilled with pervious material with outlets provided for entrapped water. Under drains should be provided where necessary. No jetting or puddling will be permitted under the roadway.

Cutting and trimming of trees on the right-of-way shall be kept to a minimum. All debris, refuse and waste shall be removed from the site. Restoration of the right-of-way shall be in accordance with Department of Highways specifications, and any special provisions in utility agreements or permits.

69-01.0900 UTILITY INSTALLATIONS ON BRIDGES

.0910 Application of Policy - This policy shall apply equally to all bridges, both proposed and existing, for all highways on both Federal Aid and Non-Federal Aid Systems.

This policy shall apply to the modification of any existing utility installation on any bridge on the state maintained system. This policy shall apply to all utilities proposed to be supported by bridge structures.

This policy shall apply only to approved permit installations. This policy does not apply to utilities required for servicing facilities required for operation of the public highway, such as bridge lighting, signing, navigation lighting, aviation lighting and toll facilities, etc.

.0920 Statement of Policy - It shall be the general policy of the Department to grant approval for accommodation of utilities on bridges only where extensive engineering and economic research substantiates that all other means of accommodating the utility are not practical. Other means shall include, but not be limited to, underground, understream, independent poles, cable supports, tower supports, etc., all of which are completely separated from the bridge.

It shall be the general policy of the Department to disapprove any applications for installation of pipe lines on bridges carrying any combustible material such as gas, petroleum and similar materials required to be transmitted under pressure, regardless of operating pressure. In rare instances where such installations on bridges are considered, there will be no general policy, and each and every permit request will be subject to individual requirements, as the Department may direct.

.0930 Approved Permit Procedures - In all cases where permit approvals are requested, the following procedures shall apply:

- (1) Structure designs, situations and capacities to accommodate utilities are variable, and any proposed bridge attachments shall be considered on its own merits. In no case shall the highway interest be compromised or sacrificed for the positioning of a utility that would deny or complicate access to any portion of the bridge for repairs or maintenance.
- (2) Any utility shall be located so as not to reduce the bridge's vertical clearances above stream, railroad rails or pavement.
- (3) All permanent installations shall be placed below the elevation of the bridge floor, preferably between bridge girders, and as near as practicable to the centerline of roadway or sidewalk. Only where necessary for maintenance of utility will installations be permitted on the outside of beams or girders. In this event, the utility must be located underneath the curb or sidewalk. Emergency, temporary permits to the contrary shall expire after one year from the date of issuance and shall not be renewable.

CHAPTER 69-01

69-01.0900 UTILITY INSTALLATIONS ON BRIDGES (Cont.)

- (4) In no case will any utility be permitted to be installed through the back walls of abutments, or under approach pavements to bridges at elevation above datum of bridge seat.
- (5) All water carrier pipe shall be properly insulated.
- (6) All electrical transmission lines shall be properly insulated and shielded, in conformance with current existing electrical codes, which will provide all necessary protection to maintenance personnel and eliminate any chance for bridge steel grounding stray currents.
- (7) Emergency shut-off valves, emergency switches or automatic regulating devices shall be provided at or near each bridge approach to preclude build-up of excessive liquid or gaseous pressure or electrical current.
- (8) Adequate provisions shall be made for expansion and contraction due to temperature by line bends, expansion couplings or other approved means.
- (9) No rigid type connections will be permitted. All utilities shall be supported by mountings or hangers of a type that are cushioned from noise or vibration. All support rollers, saddles or hangers shall be coated or padded with neoprene or other suitable material.
- (10) No field welding, other than that approved on submitted installation drawings, will be permitted. All field welding shall be performed by welders, qualified in accordance with Department's current specifications.
- (11) On interstate highways and other freeways all utility installations must also conform to A Policy on the Accommodation of Utilities within Freeway Rights-of-Way dated February 1989, and subsequent revisions and amendments.

.0940 Application Submittals - Applications for the placement of utilities on bridges shall not be approved, except in accordance with the following conditions:

Prior to completion of plans and specifications by the Department for proposed new bridges, the applicant shall submit to the Department, through the District Permit Engineer, complete plans and specifications of the proposed installation, together with weight per lineal foot and detail drawings. The burden of predetermining schedule of proposed plans and new construction by the Department shall rest solely upon the applicant. Preliminary scheduling information is normally available to utility companies at the Department's Central Office and district offices.

August 25, 1989

69-01.0900 UTILITY INSTALLATIONS ON BRIDGES (Cont.)

When requesting approval for installation of a utility on an existing bridge, the applicant shall submit to the Department, through the District Permit Engineer, complete plans and specifications of the proposed installation, together with all pertinent data regarding weight per lineal foot, etc.

All utility permit applications, with required plans and specifications, shall be forwarded by the District Permit Engineer to the appropriate Central Office division (Design, Construction or **Traffic**) for review and approval.

Before any major repairs, other than routine maintenance, are performed on any existing installation, the applicant shall be required to submit to the District Permit Engineer, for review and approval, the plans for repairs. In unusual cases, the District Permit Engineer may elect to forward repair plans to the Central Office, Division of **Traffic**, for further review and consideration. In case of an emergency, the request may be handled by telephone and confirmed in writing at a later date. When submitted, the application should be headed "Emergency" Utility Permit.

Any proposal to accommodate a utility on a bridge structure, under the provisions of a utility agreement, must be submitted in the same detail to the District Utilities Engineer, who in turn, will submit the required information to the Central Office, **Division of Right-of-Way and Utilities**, for subsequent review and approval by the Division of Bridges, prior to preparation of the utility agreement. An approved proposal contained in an executed utility agreement shall constitute the Department's permit for installation of the utility.

.0950 Cost Participation - For existing and proposed bridges, the cost of additional supports or attachments for utility facilities shall be borne entirely by the utility company, except in instances where the utility is being relocated at the Department's expense to accommodate a highway construction project. In which case, the cost of additional supports or attachments shall be borne in accordance with the terms of the utility agreement. Utility supports and attachment hardware items shall be furnished by the utility company, unless otherwise provided.

Where the cost of designing and constructing a bridge to accommodate a utility is estimated to exceed by more than a nominal amount, the cost of designing and constructing the same bridge without considering the utility, the Division of Bridges will estimate the amount of such additional cost as closely as possible, and provide the estimate to the **Division of Right-of-Way and Utilities** for use in the utility agreement for purposes of reimbursement when required. In the event a utility agreement is not involved, this estimated amount will be furnished directly to the Division of Accounts with a request that the utility be billed accordingly.

69-01.0900 UTILITY INSTALLATIONS ON BRIDGES (Cont.)

.0960 Maintenance of Existing Utility - An annual inspection of all utilities placed on the structure shall be performed by the applicant to determine any failures or maintenance needed on each installation and a report submitted in duplicate to the District Bridge Engineer, who in turn, shall retain one copy and transmit one copy to the Central Office, Division of Maintenance, Bridge Section for records.

The applicant shall maintain the utility in good condition at its own expense, and shall paint or repaint exposed metal parts of all lines where paint is used for the purpose of protection. This function should be performed when conditions dictate or at the direction of the Department.

69-01.1000 REFERENCES AND SPECIFICATIONS

.1010 References - The references listed herein have been employed in the development of specifications for this manual. The requirements and recommendations contained in these references shall be applied by the Chief District Engineer in cases not specifically covered by this manual.

Reference material giving requirements of several other state departments and agencies are not listed, but permit applicants shall obtain necessary information from each and must comply with their respective requirements as applicable. Some of these are: Public Service Commission, Cabinet for Human Resources (Health), Natural Resources and Environmental Protection Cabinet (Water Pollution), Insurance (State Fire Marshall), Department of Mines and Minerals (Blasting).

All publications listed means the latest edition and/or current revisions.

.1011 Commonwealth of Kentucky Publications -

A. Kentucky Transportation Cabinet, Division of Management Services, State Office Building, High Street, Frankfort, Kentucky 40622

1. All Department of Highways' Guidance Manuals;
2. Kentucky Department of Highways' Standard Drawings;
3. Kentucky Department of Highways' Standard Specifications for Road and Bridge Construction;
4. Manual on Uniform Traffic Control Devices (MUTCD).

B. Kentucky Labor Cabinet, Occupational Safety and Health Program, Building 127, US 127 South, Frankfort, Kentucky 40601

Kentucky Occupational Safety and Health Standards (KOSHA) for the Construction Industry.

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69-01.1000 REFERENCES AND SPECIFICATIONS (Cont).

.1012 American Association of State Highway and Transportation Officials (AASHTO) Publications -

AASHTO, 341 National Press Building, Washington, D. C. 20045

1. A policy on Geometric Design of Highways and Streets (1984);
2. A policy on the Accommodation of Utilities on Freeway Rights-of-Way (1982);
3. A Guide for Accommodating Utilities on Highway Rights-of-Way (1981);
4. An Informational Guide for Roadway Lighting (1969);
5. AASHTO Highway Definitions (1968);
6. Highway Design and Operational Practices Related to Highway Safety.
7. AASHTO Guide for Selecting, Locating and Designing Traffic Barriers (1977).

.1013 Federal Government Publications -

- A. U. S. Department of Transportation, Federal Highway Administration (FHWA), Washington, D. C. 20590

1. F.H.P.M. Volume 6, Chapter 6, Section 3, Subsection 1, Utility Relocations and Adjustments.
2. Federal-Aid Highway Program Manual Volume 6, Chapter 6, Section 3, Subsection 2 Accommodation of Utilities.

- B. U. S. Department of Transportation, Material Transportation Bureau, Office of Hazardous Materials Operations, Regulations Division, Room 6214 TRPT, 2100 Second Street S.W., Washington, D. C. 20590.

Transportation of Natural and Other Gas by Pipeline, Minimum Safety Standards (1970).

- C. U. S. Department of Commerce, National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22151.

"Horizontal Boring Technology: A State-of-the-Art Study."
(Document Number PB180355)

.1014 American National Standards Institute, Inc. (ANSI)

ANSI, 1430 Broadway, New York, N. Y. 10018

1. Standards for Water Pipe (Standard Numbers A-21. 6-8-12-51) (1970 and 1971).
2. National Electrical Safety Code C2 (1973) (Includes four standards in one volume).

.1015 American Society of Civil Engineers (ASCE)

ASCE, 345 East 47th Street, New York, N. Y. 10017

CHAPTER 69-01

69-01.1000 REFERENCES AND SPECIFICATIONS (Cont.)

"Uncased Pipeline Crossings of Railroads and Highways."
(1971)

.1016 American Railway Engineering Association

AREA, 59 East Van Buren Street, Chicago, Illinois 60605

(Part 5 Pipelines) "Specifications for Pipelines for Conveying
Flammable and Non-Flammable Substances" (1972).

.1017 Water Pollution Control Federation

WPCF, 3900 Wisconsin Avenue, N.W., Washington, D. C., U.S.A.
20016

MOP 9 "Design and Construction of Sanitary Storm Sewers."