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April 17, 2019

To: Gwen R. Pinson  
Executive Director  
Public Service Commission  
211 Sower Blvd.  
Frankfort, KY 40601

**RE: Knott County Water & Sewer District**

Dear Executive Director:

As counsel for the Knott County Water & Sewer District, I write to you to notify the P.S.C. of a possible vacancy on the Board of Commissioners.

I stress possible because there is some doubt as to the vacancy existence.

By way of background, this possible vacancy concerns Commissioner Dale Hamilton.

Mr. Hamilton is/was the longest serving member of Board.

His last term set by Fiscal Court began on April 16, 2012 and was for a two-year term. It would have terminated on April 16, 2014.

There are no further appointments by the Fiscal Court for this Commissioner. However, under KRS 74.020, his next term would have automatically went to four years. Presumably, the prior County Judge was operating under KRS 65.008 and allowed Mr. Hamilton to hold over on each anniversary. Chronologically, the current term would have started April 16, 2018. Thus, Mr. Hamilton asserts that there is no vacancy because the former County Judge allowed his appointment to hold over under KRS 65.008. Therefore, his term doesn't expire until April 16, 2020.

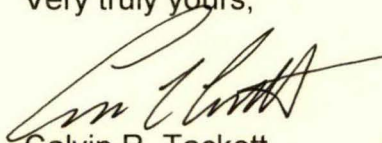
The current County Judge believes that there is a vacancy since end of last term, April 16, 2018, under KRS 74.020. The current County Judge acknowledges that Fiscal Court allowed the 90 days lapse and now recognizes that the P.S.C. has jurisdiction to declare and fill the vacancy.

The Knott County Water District Board feels that it is in the middle of these competing claims and desires only to have the correct statutory scheme applied.

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Therefore, in order to reconcile the claims, the Board has chosen to bring this to the attention of the P.S.C. pursuant to KRS 74.020 so that inquiry and decision may be made.

Very truly yours,



Calvin R. Tackett

CRT/klk