

CALVIN R. TACKETT
ATTORNEY AT LAW
40 MAIN STREET
WHITESBURG, KENTUCKY 41858

RECEIVED

SEP 03 2019

PUBLIC SERVICE
COMMISSION
(606) 633-0972

TELEPHONE
(606) 633-0126
crtackett@birch.net

August 29, 2019

Public Service Commission
P.O. Box 615
Frankfort, KY 40602


**Re: In the matter of: Application of Knott County Water and
Sewer District for an Alternative Rate Adjustment, Case
No. 2019-00268**

Dear Sir or Madam:

Enclosed is the original and ten copies of Response to Letcher County Water and Sewer District Motion to Intervene in the above-referenced matter. Please file with the record in your office. I have included one extra copy. Please return a copy stamped "filed" in the enclosed, postage-prepaid envelope.

I appreciate your assistance in this matter. If anything further is required, please contact my office.

Sincerely yours,


Calvin R. Tackett

CRT/kik
Enclosure

RECEIVED

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

SEP 03 2019

PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

APPLICATON OF KNOTT COUNTY WATER)
AND SEWER DISTRICT FOR AN ALTERNATIVE) CASE NO. 2019-00268
RATE ADJUSTMENT)

**RESPONSE TO LETCHER COUNTY WATER
AND SEWER DISTRICT MOTION TO INTERVENE**

Comes now Knott County Water and Sewer District (Knott District), by and thru counsel, and for its Response to Letcher County Water District's Motion to Intervene, hereby states as follows:

The Letcher District seeks to intervene in Knott County Water's Alternative Rate Adjustment Application.

While Letcher District Motion to Intervene may proceed on other grounds, it cannot do so based upon contractual basis.

Any written contract that existed between the parties expired on January 3, 2019. Knott Water chose not to enter into a new written agreement for 2019. (See Knott Water letter of December 27, 2019, attached).

Knott County has continued to provide uninterrupted water service to Letcher Water on a month-to-month basis.

Moreover, the Office of the Attorney General is more than adequately capable of representing wholesale customers such as Letcher District. The unreported and

pending case of Metropolitan Housing Coalition v. Public Service Commission, No. 2019-SC-00195 does not apply Attorney General's position in this matter.

While the Attorney General can speak for himself, the position taken by him in the Metropolitan Housing Coalition case does not address wholesale customers, but instead addresses "special interest" groups.

WHEREFORE, the Letcher District Motion to Intervene should be denied.

Respectfully submitted,



CALVIN R. TACKETT, ESQUIRE
40 Main Street
Whitesburg, KY 41858
Phone: 606-633-0126
Fax: 606-633-0972
E-mail: tackettlaw@att.net

MARK DAVID GOSS, ESQUIRE
L. ALLYSON HONAKER, ESQUIRE
GOSS SAMFORD, PLLC
2365 Harrodsburg Road, Suite B-325
Lexington, Kentucky 40504
Phone: 859-368-7740
E-mail: mdgoss@gosssamfordlaw.com
allyson@gosssamfordlaw.com

CO-COUNSEL FOR KNOTT COUNTY
WATER AND SEWER DISTRICT

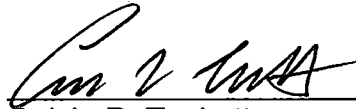
CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was sent via U.S. Mail, postage prepaid, to the following individuals on this the 29th day of August, 2019:

Gerald E. Wuetcher, Esquire
Stoll Keenon Ogden PLLC
300 West Vine Street, Suite 2100
Lexington, Kentucky 40507-1801
Attorney for Letcher County Water and Sewer District

Rebecca Goodman, Esquire
Kent Chandler, Esquire
Justin McNeil, Esquire
Assistant Attorneys General
700 Capital Ave., Suite 20
Frankfort, Kentucky 40601-8204

Jeremy Morgan, Esquire
P.O. Box 496
Hindman, KY 41822
Attorney for City of Hindman



Calvin R. Tackett
Co-Counsel for Knott County Water and Sewer
District



December 27, 2018

Chairman Bernard Watts
Letcher County Water & Sewer District
6 Broadway Street, Suite B
Whitesburg, Kentucky 41858

In Re: Upcoming contract, 2019

Dear Chairman Watts:

The Knott County Water & Sewer District has decided not to enter into a new written contract with Letcher County Water & Sewer for the upcoming year. I believe our contract expires on January 3, 2019.

However, we will continue to sell water to Letcher County Water District on a month-to-month basis.

Should you have any questions, then please contact us in writing.

Yours truly,

A handwritten signature in black ink, appearing to read "Dave Smith", is written over a vertical line that extends from the "Yours truly," text.

Dave Smith
Chairman

7777 Big Branch Road
Vicco, KY 41773

Phone (606) 642-3582
Fax (606) 642-3770

www.knottcountywater.com