

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF POSSIBLE)	
VACANCY ON THE BOARD OF)	CASE NO.
COMMISSIONERS OF GREEN RIVER VALLEY)	2022-00214
WATER DISTRICT)	

ORDER

On July 15, 2022, the Commission opened this case to investigate two possible vacancies on the Green River Valley Water District’s (Green River Valley District) Board of Commissioners (Board). On July 27, 2022, Green River Valley District filed a response to the data request included as part of the opening order as well as a motion to close the proceeding.

In response to the investigation, Green River Valley District provided a list of all of the persons serving as commissioners,¹ including the fiscal court minutes re-appointing Leland Glass and Debbie Fowler.²

The Commission finds that the evidence provided by Green River Valley District is sufficient to resolve the question regarding vacancies and appointments. The Commission finds that Leland Glass and Debbie Fowler were timely and appropriately appointed by their respective County Judge Executive.³ The Commission finds that there

¹ Green River Valley District’s Response to Commission Staff’s First Request for Information (filed July 27, 2022), Response to Item 1.

² Green River Valley District’s Response to Commission Staff’s First Request for Information, Attachments 4A and 4B.

³ Debbie Fowler’s term expired on March 1, 2022; however, she was appointed by the Hart County Judge Executive on March 3, 2022, for a four-year term. Leland Hart’s term expired on March 24, 2022;

are currently no vacancies on the Green River Valley District's Board. The Commission directs the Green River Valley District to KRS 74.020(10):

(10) (a) Within thirty (30) days of the occurrence of a vacancy on its board of commissioners resulting from the expiration of a term or the death, resignation, or removal of the incumbent, a water district shall notify in writing the Public Service Commission of the existence of the vacancy. The notice shall include the name of the commissioner who last held the position and the date on which the unexpired term will end.

(b) Within thirty (30) days of the appointment of a commissioner and the appropriate fiscal court's approval of that appointment, a water district shall notify the Public Service Commission of the appointment. The notice shall include the appointed person's name and the date of the expiration of his or her term.

Based on Green River Valley District's lack of attention to complying with KRS 74.020(10),⁴ the Commission reminds Green River Valley District of the importance of the Board and manager of a water district attending training provided by the Public Service Commission. This training is offered in order to familiarize those charged with operating a water utility with the appropriate statutes, including KRS 74.020, and regulations that govern a water district. The Commission does not look favorably upon a consistent disregard for Commission regulations, statutory requirements, or its Orders.

however, he was appointed on February 15, 2022, for a four-year term beginning on March 24, 2022, by the Barren County Judge Executive.

⁴ There is currently another open investigation for failure to file for a general rate adjustment, Case No. 2022-00215, *Electronic Alleged Failure of Green River Valley Water District and its Officers, John Bunnell, Pat Tucker, Phillip Doyle, Adrian Gossett, Debbie Fowler, Leland Glass, Kerry McDaniel and its Manager, David Paige, to Comply with a Commission Order, KRS 278.990*. The utility has had three recent cases involving complaints from customers: Case No. 2020-00026, *Electronic Proposed Filing of Green River Valley Water District to Amend its Tariff* (Ky. PSC Oct. 10, 2020); Case No. 2019-00375 *Tracy Kay Sanders v. Green River Valley Water District* (Ky. PSC Feb. 25, 2020); and Case No. 2019-00258 *Stuart I. Gross, Sr. v. Green River Valley Water District* (Ky. PSC Dec. 16, 2021).

IT IS THEREFORE ORDERED that:

1. The Commission finds that Green River Valley District provided sufficient information to establish no vacancies exist on the Board.
2. The case is closed and removed from the Commission's docket.

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PUBLIC SERVICE COMMISSION

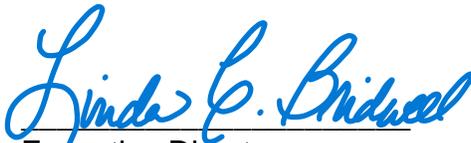

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