

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC ALLEGED FAILURE OF)	
CUMBERLAND WATER DISTRICT AND ITS)	
OFFICERS, ERIC CARVER, TROY NORRIS, AND)	CASE NO.
JAY CARY AND ITS MANAGER, MATTHEW)	2022-00244
DYER, TO COMPLY WITH A COMMISSION)	
ORDER, KRS 278.990)	

ORDER

On February 15, 2024, the Commission reopened this case to show cause Cumberland County Water District (Cumberland District) its officers, Eric Carver, Troy Norris, and Jay Cary; and its manager, Matthew Dyer, for why they should not be subject to the assessment of a civil penalty pursuant to KRS 278.990(1) for failure to comply with Commission Orders entered in this matter. The Commission ordered the named parties to file a response within 20 days of the date of service of the Order. On March 25, 2024, the Commission ordered the parties to file written policies and procedures with an affidavit confirming its adoption within ten days of the date of service of this Order and for counsel to enter an appearance. On March 26, 2024, Cumberland District filed a copy of its policies and procedures. On March 29, 2024, counsel entered his appearance. On April 2, 2024, commissioners Eric Carver, Jay Cary, Troy Norris, and the general manager, Matthew Dyer filed affidavits which confirmed that the Board adopted the policies at a Cumberland District Board of Commissioner meeting on February 12, 2024.

KRS 278.990(1) provides that any utility, and any officer, agent, or employee of a utility that willfully violates any Commission Order provision of KRS Chapter 278, any

regulation promulgated pursuant to KRS Chapter 278, or fails to perform any duty imposed upon it shall be subject to a civil penalty not less than \$25 and not more than \$2,500 for each offense.

Having considered the evidence of record and being otherwise sufficiently advised, the Commission finds that the parties have satisfied the show cause by filing the policies and procedures into the record. At this time, the Commission finds that no civil penalties pursuant to KRS 278.990(1) shall be assessed to the parties. The Commission encourages Cumberland District to continue to work on its policies and procedures and more clearly define its employees' responsibilities.

IT IS THEREFORE ORDERED that:

1. Cumberland District; its officers, Eric Carver, Troy Norris, and Jay Cary; and its manager, Matthew Dyer, have satisfied the show cause and no civil penalties are assessed pursuant to KRS 278.990(1).
2. This case is closed and removed from the docket.

PUBLIC SERVICE COMMISSION



Chairman



Vice Chairman



Commissioner

ENTERED
APR 19 2024 rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

*Cumberland County Water District
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*Garland Hieneman
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*Matthew Dyer
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