

DOC11R

Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 02, 2024***2018-00017**

RECEIVED: 01/16/18

FILED: 01/16/18

FINAL: 07/22/20

REOPENED: 06/01/20

SUSPENSION DATE: 07/16/18

CASE CODE

Alternative Rate Filing Adjustment

UTILITIES:

Martin County Water District

HEARINGS:

06/16/20	Formal Hearing
05/21/20	Informal Conference
11/15/19	Informal Conference
10/22/19	Formal Hearing
09/05/19	Formal Hearing
08/21/19	Formal Hearing
08/15/19	Formal Conference
07/30/19	Formal Conference
07/30/19	Formal Conference
07/29/19	Formal Conference
06/18/19	Formal Conference
04/25/19	Formal Conference
04/09/19	Formal Conference
12/20/18	Formal Hearing
08/07/18	Formal Hearing
02/28/18	Formal Hearing
01/26/18	Formal Hearing

INDEX OF EVENTS:

07/22/20	Order Entered: 1. Effective as of the date of this Order, all filings made pursuant to ordering paragraphs 6, 7, and 11 of the November 15, 2019 Order shall be filed into Case No. 2020-00154, Electronic Martin County Water District Management and Operation Monitoring Pursuant to KRS 278.250, which is initiated on the same date as the entry of this Order. 2. This case is now closed and removed from the Commission's docket.
07/15/20	Brian Cumbo Martin County Water District Quarterly Activity Report in Compliance with PSC Order of November 15, 2019.
07/09/20	James Anthony Sneed Martin County Water District RESPONSE TO RFI 18JUN2020 MARTIN COUNTY WATER DISTRICT
07/08/20	James Anthony Sneed Martin County Water District POST HEARING REQUEST 18JUNE2020
07/08/20	Evan's Hardware Response to Commission Subpoena
06/24/20	Order Entered: 1. Martin District's request for a ten-day extension to file its response to Staff's Post-Hearing Request is granted. 2. Martin District shall file its response to Staff's Post-Hearing Request on or before July 8, 2020.
06/23/20	Brian Cumbo Martin County Water District Motion for Extension of Deadline to Respond to Post-Hearing Request for Information
06/19/20	Brian Cumbo Martin County Water District Notice of Filing Affidavit of Publication for notice of PSC Hearing
06/19/20	PSC Subpoena Evans Hardware, Inc.
06/18/20	Commission Staff's Post-Hearing Request for Information to Martin County Water District
06/15/20	Letter Dated 6/12/2020 Filing Document into the Record
06/15/20	Letter Dated 6/12/2020 Filing Document into the Record
06/12/20	James Anthony Sneed Martin County Water District FIRST POST CASE REQUEST FOR INFORMATION
06/09/20	Alliance Water Resources Notice of DSS Funds Deposit
06/05/20	Commission Staff's First Post-Case Request for Information to Martin County Water District
06/01/20	Brian Cumbo Martin County Water District Copy of Correspondence to The Mountain Citizen regarding notice of PSC Hearing June 16, 2020.
06/01/20	Order Entered: 1. This case is reopened for the purposes of scheduling a hearing to take evidence regarding compliance with the Commission's previous Orders in this matter. 2. A hearing in

Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of May 02, 2024

this matter shall be held on Tuesday, June 16, 2020, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room (Hearing Room 1) at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 3. Martin County Water District shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov"; and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments

may do so by following the instructions listed on the PSC website, psc.ky.gov." At the time the notice is mailed or publication is requested, Martin County Water District shall forward a duplicate of the notice and request to the Commission. 4. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.

05/20/20 Commission Staff's Notice of Post-Case Informal Conference

04/14/20 POST CASE: Brian Cumbo Martin County Water District Notice of Filing - Infrastructure Replacement Plan in compliance with PSC Order of November 22, 2019.

04/08/20 POST CASE: Brian Cumbo Martin County Water District Quarterly Activity Report in compliance with PSC Order of November 15, 2019.

01/28/20 POST CASE: Timothy Geraghty Martin County Water District Submission of the Martin County Water Districts Management Infrastructure Plan by its contract management firm, Alliance Water Resources, Inc.

01/14/20 POST CASE: Brian Cumbo Martin County Water District Quarterly Activity Report in Compliance with PSC Order of November 15, 2019 - Due January 15, 2020.

12/16/19 POST CASE: Brian Cumbo Martin County Water District Notice of Filing Information in compliance with PSC Order of March 16, 2018 - Monthly Requirements - Due December 15, 2019.

11/22/19 Final Order Entered: 1. The Management Contract as contained in Appendix B to this Order is approved. 2. Martin District shall execute the Management Contract with Alliance in triplicate no later than November 20, 2019, with the term to begin as of January 1, 2020. 3. Martin District shall then send the three originals to Alliance for signatures, who in turn, should return one executed copy to Martin District, and one executed copy, under seal, to the Commission. 4. Martin District is authorized to place into effect a Management/Infrastructure Surcharge as set forth in Appendix A to this Order. 5. Martin District is authorized to place into effect a Debt Service Surcharge as set forth in Appendix A to this Order. 6. On a quarterly basis, beginning January 15, 2020, Martin District shall provide quarterly activity reports with the Commission that include a statement of quarterly Debt Service Surcharge billings and collections, the monthly surcharge bank statements for that quarter, a list of each payment from the account, its payee, and a description of the purpose.

11/20/19 Order Entered nunc pro tunc, that: 1. The Appendix attached to this Order is included as Appendix C to the November 15, 2019 Order.

2. All other provisions of the Commission's November 15, 2019 Order that are not in conflict with the terms of this Order shall remain in effect.

11/19/19 POST CASE: Brian Cumbo Martin County Water District Motion to Accept Late Filing; Notice of Filing Monthly Requirements

11/18/19 POST CASE: M. Todd Osterloh Martin County Concerned Citizens, Inc. Notice of Withdrawal

11/15/19 Final Order Entered: 1. The Management Contract as contained in Appendix B to this Order is approved. 2. Martin District shall execute the Management Contract with Alliance in triplicate no later than November 20, 2019, with the term to begin as of January 1, 2020. 3. Martin District shall then send the three originals to Alliance for signatures, who in turn, should return one executed copy to Martin District, and one executed copy, under seal, to the Commission. 4. Martin District is authorized to place into effect a Management/Infrastructure Surcharge as set forth in Appendix A to this Order. 5. Martin District is authorized to place into effect a Debt Service Surcharge as set forth in Appendix A to this Order. 6. On a quarterly basis, beginning January 15, 2020, Martin District shall provide quarterly activity reports with the Commission that include a statement of quarterly Debt Service Surcharge billings and collections, the monthly surcharge bank statements for that quarter, a list of each payment from the account, its payee, and a description of the purpose.

11/14/19 Commission Staff's Notice of Informal Conference

11/11/19 Brian Cumbo Martin County Water District Response to Commission Staffs Second Post-October 22, 2019 Hearing Request for Information

11/06/19 Brian Cumbo Martin County Water District Response to Commission Staffs First Post-October 22, 2019 Hearing Request for Information

11/04/19 Commission Staff's Second Post-October 22, 2019 Hearing Request for Information to Martin County Water District

DOC11R

Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 02, 2024*

10/31/19	Brian Cumbo Martin County Water District Motion to Amend Public Service Commission Order of November 5, 2018
10/28/19	Mary Varson Cromer Martin County Concerned Citizens, Inc. Motion to Require Martin County Water District to Hire a General Manager
10/25/19	White and Associates, PSC Response to Commission First Post-Hearing Request for Information
10/23/19	Commission Staff's First Post-October 22, 2019 Hearing Request for Information to Martin County Water District
10/22/19	Commission Staff's First Post-October 22, 2019 Hearing Request for Information to White & Associates, PSC
10/21/19	Order Entered: The testimony proffered by Jimmy Don Kerr and Greg Heitzman at the July 29, 2019 Formal Confidential Conference between 11:57:21 and 12:14:14 is denied confidential treatment.
10/21/19	Brian Cumbo Martin County Water District Notice of Filing Letter of Resignation from Earnest Hale dated October 21, 2019
10/16/19	PSC Subpoena Deborah Maynard
10/16/19	Brian Cumbo Martin County Water District Motion to Amend PSC Order of March 16, 2018 and October 10, 2018 Relative to Surcharge
10/15/19	Order Entered: Martin District's motion to excuse Earnest Hale from appearing at the October 22, 2019 hearing is denied.
10/15/19	Jonathan Smith Subpoena
10/15/19	Brian Cumbo Martin County Water District Notice of Filing Information in compliance with PSC Order of March 16, 2018 - Monthly Requirements - Due October 15, 2019.
10/14/19	PSC Subpoena Joseph Smith
10/11/19	Brian Cumbo Martin County Water District Motion to be Excused from Subpoena Order
10/10/19	Brian Cumbo Martin County Water District The Mountain Citizen newspaper Affidavit of Publication and advertisement for hearing on October 22, 2019.
10/09/19	Brian Cumbo Martin County Water District Notice of Filing Release of Liens filed by Prestonsburg Citys Utilities
10/08/19	PSC Subpoena Deborah Maynard
10/07/19	Notice of Filing Formal Confidential Conference Documents
10/07/19	Notice of Filing Formal Confidential Conference Documents
10/04/19	PSC Subpoena Nina McCoy
10/04/19	Mary Varson Cromer Martin County Concerned Citizens, Inc. Notice of Filing of "Drinking Water Affordability Crisis: Martin County, Kentucky."
10/03/19	Brian Cumbo Martin County Water District Copy of correspondence addressed to the Mountain Citizen with Advertisement/Notice of PSC Hearing on October 22, 2019.
10/02/19	Brian Cumbo Martin County Water District Response to Commission Staffs Second Post Formal Confidential Conference Request for Information
09/25/19	Commission Staff's Second Post-Formal Confidential Conference Request for Information to Martin County Water District
09/20/19	Brian Cumbo Martin County Water District Notice of Filing Revised Opinion of Probable Project Cost for the AML improvements, which removes the funding allocation for a Capital Improvement Plan.
09/19/19	Jaryd Crum Subpoena
09/19/19	Greg Scott Subpoena
09/19/19	Earnest Hale Subpoena
09/19/19	John Hensley Subpoena
09/19/19	Jimmy Don Kerr Subpoena
09/17/19	Order Entered: 1. Martin District's Board of Commissioners, Jimmy Don Kerr, Earnest Hale, Jaryd Crum, John Hensley, and Martin District's acting general manager, Greg Scott shall appear on Tuesday, October 22, 2019, at 9 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky, for the purpose of presenting evidence on water loss, unmetered customers, and the adequacy of rates in this matter and in Case No. 2016-00142. 2. Martin District shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time the notice is mailed, publication is requested, or is posted on a website or social media platform, Martin District shall forward a duplicate of the notice, request, or posting to the Commission. 3. The October 22, 2019 hearing shall be recorded by digital video recording only.
09/16/19	Brian Cumbo Martin County Water District Notice of Filing Information in Compliance with PSC Order of March 16, 2018 - Monthly Requirements - Due September 15, 2019.

Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 02, 2024*

09/13/19 Order Entered: 1. Martin District's petition for confidential protection for the designated materials is granted. 2. The designated information shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission. 3. Use of the material in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 4. Martin District shall inform the Commission if Martin District enters into a management agreement with Alliance Water Resources because the material in question would no longer qualify for confidential treatment. 5. If a non-party to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Martin District shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Martin District is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection. 6. The Commission shall not make the requested material available for inspection for 30 days following an Order finding that the material no longer qualifies for confidential treatment in order to allow Martin District to seek a remedy afforded by law.

09/12/19 Order Entered: Martin District's motion for the Commission to provide a final rate analysis, to contact the Kentucky Retirement System, and to contact Martin District's auditor is denied.

08/26/19 Order Entered: 1. The hearing scheduled for September 5, 2019, is continued generally. 2. The subpoenas issued to Jimmy Don Kerr, Earnest Hale, Jaryd Crum, John Hensley, Greg Scott, and Greg Heitzman are withdrawn. 3. A copy of this Order shall be served by U.S. Mail, first class, and shall be served on the following at the listed addresses: a. Jimmy Don Kerr, Chairman, Martin County Water District, 387 Main Street, Suite 140, Inez, Kentucky, 41224. b. John Hensley, Commissioner, Martin County Water District, 387 Main Street, Suite 140, Inez, Kentucky, 41224. c. Jaryd Crum, Commissioner, Martin County Water District, 387 Main Street, Suite 140, Inez, Kentucky, 41224. d. Earnest Hale, Commissioner, Martin County Water District, 387 Main Street, Suite 140, Inez, Kentucky, 41224. e. Greg Scott, Acting General Manager, Martin County Water District, 387 Main Street, Suite 140, Inez, Kentucky, 41224. f. Greg Heitzman, President, BlueWater, Kentucky, 625 Myrtle Street, Louisville, Kentucky, 40208

08/22/19 John Hensley Subpoena

08/22/19 Jimmy Don Kerr Subpoena

08/22/19 Jaryd Crum Subpoena

08/22/19 Greg Scott Subpoena

08/22/19 Greg Heitzman Subpoena

08/22/19 Earnest Hale Subpoena

08/22/19 Order Entered: 1. Martin District's Board of Commissioners, Jimmy Don Kerr, Earnest Hale, Jaryd Crum, John Hensley; Martin District's acting general manager, Greg Scott; and Martin District's consultant, Greg Heitzman, shall appear on Thursday, September 5, 2019, at 9 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky, for the purpose of presenting evidence on water loss, unmetered customers, and the adequacy of rates in this matter and in Case No. 2016-00142. 2. Martin District shall give notice of the hearing by any means available to it in the intervening time, including posting on its webpage or social media account. In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time the notice is mailed, publication is requested, or is posted on a website or social media platform, Martin District shall forward a duplicate of the notice, request, or posting to the Commission. 3. The September 5, 2019 hearing shall be recorded by digital video recording only.

08/20/19 Order Entered: 1. Martin District's motion to continue is granted. 2. The hearing scheduled for August 21, 2019, is continued generally.

08/19/19 Brian Cumbo Martin County Water District Motion to Continue and supporting Affidavit of Jimmy Kerr

08/16/19 Order Entered: 1. Martin District, including its Board of Commissioners and its acting general manager, Greg Scott, shall appear at a formal hearing scheduled for August 21, at 1:00 p.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. 2. Martin District shall give notice of the hearing by any means available to it in the intervening time, including posting on its webpage or social media account. In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time the notice is mailed, publication is

Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 02, 2024*

requested, or is posted on a website or social media platform, Martin District shall forward a duplicate of the notice, request, or posting to the Commission. 3. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.

08/15/19 Brian Cumbo Martin County Water District Notice of Filing Information in compliance with PSC Order of March 16, 2018 - Monthly Requirements - Due August 15, 2019.

08/13/19 Brian Cumbo Martin County Water District Supplemental Response to Commission Staffs July 30, 2019 Post Formal Confidential Conference Request for Information

08/09/19 Brian Cumbo Martin County Water District Response to Commission Staffs July 30, 2019 Post Formal Confidential Conference Request for Information

08/01/19 Order Entered: 1. The formal confidential conferences scheduled for July 30, 2019, and August 15, 2019, shall be removed from the Commission's calendar to be rescheduled pursuant to subsequent Order. 2. Contract negotiations shall continue. 3. The deadline to submit a proposed contract to this Commission for review on or before August 9, 2019, is extended to be rescheduled pursuant to subsequent Order. 4. The deadline to execute the approved contract shall be postponed until rescheduled pursuant to subsequent Order. 5. All other provisions of the Commission's November 5, 2018 Order, December 20, 2018 Order, February 21, 2019 Order, and June 24, 2019 Order not in conflict with this Order shall remain in full force and effect.

07/30/19 Commission Staff's Post-Formal Confidential Conference Request for Information to Martin County Water District

07/25/19 Brian Cumbo Martin County Water District Response to Commission Staffs July 17, 2019 First Request for Information for Formal Confidential Conference.

07/24/19 Order Entered: 1. MCCC's Motion to be Included in the Upcoming Confidential Conferences is denied. 2. The subpoenas issued July 17, 2019, to Linda Sumpter and Raymond Sumpter are hereby withdrawn.

07/19/19 Response E-mails to Multiple Comments

07/18/19 Mary Varson Cromer Martin County Concerned Citizens, Inc. Motion to be Included in the Upcoming Confidential Conference

07/17/19 Earnest Hale Subpoena

07/17/19 Jaryd Crum Subpoena

07/17/19 John Hensley Subpoena

07/17/19 Jimmy Don Kerr Subpoena

07/17/19 Raymond Sumpter Subpoena

07/17/19 Linda Sumpter Subpoena

07/17/19 Order Entered: 1. A confidential formal conference shall be scheduled for July 29 and 30 at 9 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, in Frankfort, Kentucky for the purpose of discussing Martin District's recommendation and selection of a contractor. The contractor shall attend the confidential formal conferences. 2. The confidential formal conference scheduled for August 15, 2019, will remain on the Commission's calendar. 3. Contract negotiations shall be held between June 19, 2019, and August 8, 2019, with a proposed contract to be submitted to this Commission for review on or before August 9, 2019. 4. Review and approval of the proposed contract shall be conducted by this Commission through confidential formal conferences on July 29, 30, and August 15, 2019. 5. The approved contract shall be executed on or before August 16, 2019.

07/17/19 Commission Staff's First Request for Information to Martin County Water District for Formal Confidential Conference

07/15/19 Brian Cumbo Martin County Water District Notice of Filing Information in Compliance with PSC Order of March 16, 2018 - Monthly Requirements - Due July 15, 2019.

06/24/19 Order Entered: 1. The formal confidential conference scheduled for July 30, 2019, is canceled and removed from the Commission's calendar. 2. A formal confidential conference shall be scheduled for August 15, 2019, at 10 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, in Frankfort, Kentucky for the purpose of discussing Martin District's recommendation and selection of a contractor. The contractor shall be notified by Martin District immediately following selection. 3. Contract negotiations shall be held between June 19, 2019, and August 8, 2019, with a proposed contract to be submitted to this Commission for review on or before August 9, 2019. 4. Review and approval of the proposed contract shall be conducted by this Commission by way of formal confidential conference on August 15, 2019, at 10 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower

Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 02, 2024*

Boulevard, in Frankfort, Kentucky. 5. The approved contract shall be executed on or before August 16, 2019.

06/17/19 Ruth Crum Public Comment

06/17/19 Tammie Kirk Public Comment

06/14/19 Brian Cumbo Martin County Water District Notice of Filing Information in compliance with the PSC Order of March 16, 2018, Monthly Requirements - Due June 15, 2019.

06/13/19 Kim C. Public Comment

06/12/19 Darrell Jewell Public Comment

06/12/19 Shelby Horne Public Comment

06/11/19 Dorothy Crum Public Comment

06/11/19 Paul Howard Public Comment

06/11/19 Terry Miller Public Comment

06/11/19 Ollie McGuinn Public Comment

06/11/19 Aurelia Howard Public Comment

06/05/19 Brian Cumbo Martin County Water District Notice of Filing - Letter from Martin County Utilities Board to Kentucky Public Service Commission

06/04/19 Mary Varson Cromer Martin County Concerned Citizens, Inc. Notice of Filing of May 31, 2019 letter from MCCC to Martin County Utilities Board

06/03/19 Brian Cumbo Martin County Water District Notice of Filing Detailed Evaluation Regarding Alliance Water Resources Response to Districts Requests for Proposals.

06/03/19 Brian Cumbo Martin County Water District Notice of Filing Detailed Evaluation Regarding Alliance Water Resources Response to Districts Request for Proposals.

05/22/19 Brian Cumbo Martin County Water District Motion for Confidential Treatment of Certain Information Contained in Proposal

05/22/19 Brian Cumbo Martin County Water District Motion for Confidential Treatment of Certain Information Contained in Proposal

05/21/19 Brian Cumbo Martin County Water District Motion for Extension of Deadline for Filing Proposal

05/14/19 Brian Cumbo Martin County Water District Notice of Filing Information in compliance with PSC Order of March 16, 2018 - Monthly Requirements - Due May 15, 2019

05/02/19 Brian Cumbo Martin County Water District Affidavit of Publication

04/11/19 Brian Cumbo Martin County Water District Notice of Filing Information in Compliance with the PSC Order of March 16, 2018 - Monthly Requirements - Due April 15, 2019

04/08/19 Mary Varson Cromer Martin County Concerned Citizens, Inc. Notice of Filing + three executed confidentiality agreements.

04/05/19 Brian Cumbo Martin County Water District Notice of Filing regarding Amended Request for Proposals

03/25/19 Order Entered: 1. MCCC's Motion to be Included in the Upcoming Confidential Conferences is granted in part and denied in part. 2. Upon the execution of the confidentiality agreement that is attached as an Appendix to this Order, MCCC's representative, Nina McCoy and MCCC's counsel may attend and participate in the formal confidential conference scheduled for June 18, 2019, at 10 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, in Frankfort, Kentucky for the purpose of discussing Martin District's recommendation and selection of a contractor. 3. For the reasons set forth herein, MCCC's representative(s) and its counsel are not permitted to attend the formal confidential conference on July 30, 2019, at 10 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, in Frankfort, Kentucky.

03/12/19 Brian Cumbo Martin County Water District Notice of Filing Information in Compliance with PSC Order of March 16, 2018 - Month Requirements - Due March 15, 2019.

03/04/19 Brian Cumbo Martin County Water District Notice of Compliance regarding Addendum to Request for Proposals

02/25/19 Mary Varson Cromer Martin County Concerned Citizens, Inc. Motion to Be Included in Upcoming Confidential Conferences

02/21/19 Order Entered: 1. Martin District and MCCC's Joint Motion for Extension of Deadlines and for Expedited Ruling is granted in part and denied in part. 2. Martin District shall amend its request for proposal within ten days of this Order, to remove paragraph 6, under "Other Services Requested" page 17, by addendum and any corresponding extension will run concurrently with the extension granted herein. 3. Statements of Qualification and Proposals shall be received and accepted by Martin District up to and including May 17, 2019, with copies of each proposal received to be filed with a petition for confidentiality with the Commission no later than May 21, 2019. 4. Proposals shall be reviewed between May 17, 2019, and May 31, 2019. 5. Martin District should submit its detailed

Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 02, 2024*

recommendations for approval, as

required by the Commission's Order dated November 5, 2018, and December 20, 2018, on or before June 1, 2019. 6. The formal confidential conferences scheduled for April 9, 2019, and April 25, 2019, are canceled and removed from the Commission's calendar.

7. A formal confidential conference shall be scheduled for June 18, 2019, at 10 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, in Frankfort, Kentucky for the purpose of discussing Martin District's recommendation and selection of a contractor. The contractor shall be notified by Martin District immediately following selection.

02/14/19	Brian Cumbo Martin County Water District Martin County Water Districts Notice of Filing Information in compliance with the PSC Order of March 16, 2018 - Monthly Requirements - Due February, 2019
02/07/19	Brian Cumbo and Mary Varson Cromer Martin County Water District Martin County Concerned Citizens Joint Motion for Extension of Deadlines and for Expedited Ruling
02/06/19	Brian Cumbo Martin County Water District Notice of Filing letter dated February 4, 2019 from Prestonsburg City's Utilities Commission in response to Districts Request for Proposals
02/04/19	Brian Cumbo Martin County Water District Notice of Filing Affidavit of Publication advertisements in The Mountain Citizen regarding Request for Proposals
01/31/19	Brian Cumbo Martin County Water District Notice of Filing Affidavit of Publication and Certified Mail Green Cards regarding Request for Proposals
01/22/19	Order Entered: 1. Notwithstanding any priority of payment to creditors established by the Commission's Order of October 18, 2018, the Martin District shall immediately contact White and Associates, the firm contracted to perform the 2016 audit, and arrange to pay all invoices required by White and Associates to complete its work and produce a finalized audit report as soon as possible. 2. Martin District, upon receipt of the audit report, shall forthwith furnish a copy to the Public Service Commission and offer to make such report available to all parties interested in potentially providing management services to Martin District.
01/18/19	Brian Cumbo Martin County Water District Notice of Compliance
01/15/19	Brian Cumbo Martin County Water District Martin County Water Districts Notice of Filing Information in compliance with PSC Order dated March 16, 2018, Monthly Requirements, Due January 15, 2019.
12/20/18	Order Entered: 1. As set out in Commission's Order of November 5, 2018, Martin District shall submit to the Commission for consideration and approval a capital improvement plan for the repair, replacement, and maintenance of its water distribution system no later than November 5, 2019. Should Martin District contract with a third-party contract management service, the deadline of November 5, 2019, may be extended upon motion for good cause. If no such plan is submitted by the required date or is deemed insufficient by the Commission, the approval for the use of an infrastructure surcharge shall become automatically null, void, and of no effect whatsoever. 2. By January 18, 2019, Martin District shall issue requests for proposals for management services of all of its operations to each entity identified in Appendix B of the Commission's Order dated November 5, 2018, and in addition, advertise for such proposals between January 18, 2019, and February 1, 2019, in at least one local newspaper and one newspaper of statewide circulation. 3. Conduct a pre-proposal conference and facilities tour on February 5, 2019, and February 6, 2019, and make available on those dates system information packets to each interested party.
12/13/18	4. Establish a deadline of February 8, 2019, for questions by interested parties. Responses to each question shall be provided by Martin District by no later than February 22, 2019.
12/13/18	Bell Engineering Subpoena
12/13/18	Mary Cromer Martin County Concerned Citizens Correction Response to Motion for Clarification and Motion for Revised Schedule of Implementation
12/13/18	Brian Cumbo Martin County Water District Notice of Filing Information in compliance with PSC Order of March 16, 2018 - Monthly Requirements - Due December 15, 2018
12/12/18	Response to Motion for Clarification and Motion for Revised Schedule Martin County Concerned Citizens Response to Martin County Water Districts December 7, 2018 motion.
12/11/18	Order Entered: 1. A formal hearing will be held on December 20, 2018, at 9:00 a.m. Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, in Frankfort, Kentucky. 2. Martin District shall have present at the hearing its commissioner, Jimmy Don Kerr together with its attorney, Honorable Brian Cumbo, and its outside consultant, Greg C. Heitzman. 3. This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov. 4. Pursuant to KRS 289.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.
12/07/18	Brian Cumbo Martin County Water District Motion for Clarification and Motion for Revised Schedule of Implementation

Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 02, 2024*

11/14/18 Brian Cumbo Martin County Water District Martin County Water Districts Notice of Filing Information in compliance with PSC Order of March 16, 2018, Monthly Requirements, Due November 15, 2018.

11/07/18 Response E-mail to Gary Ball

11/05/18 Final Order Entered: 1. The findings contained in the Staff Report, with the exception of the modifications described above, are adopted and incorporated by reference into this Order as if fully set out herein. 2. The rates proposed by Martin District are denied. 3. The rates set forth in Appendix A to this Order are approved for services rendered by Martin District on and after the date of this Order. 4. On or before January 30, 2019, Martin District shall, through the services of its current outside independent consultant: a. Prepare and issue a Request for Proposal (RFP) for operational management services to entities, which specialize in providing such services, including but not limited to those entities identified in Appendix B. b. Present to this Commission a copy of each RFP issued by Martin District and each response to the RFP received by Martin District. c. Analyze, with the assistance of its outside independent consultant, each proposal received, based on factors including, but not necessarily limited to, costs and qualifications, and rank each proposal in order of preferred proposal. d. Submit to the Commission a written report that discusses the results of the RFP solicitation for the operational management of its water utility, including a detailed analysis supporting its preferred proposal.

10/16/18 Order Entered: 1. Martin District's request to use the surcharge funds and utilize option B(1) as outlined in its motion is granted. 2. On the fifteenth of each month, Martin District shall file the preceding month's bank statement and copies of cancelled checks written to pay its creditors from the surcharge account. 3. Martin District shall maintain a minimum balance of \$1 ,000.00 in the surcharge account. 4. All documents submitted pursuant to this Order shall be filed into the record of Case No. 2018-00017.

10/15/18 Order Entered: 1. Martin District's motion for confidential protection for designated material contained in the response to Commission Staff's Post Hearing Request for Information, dated August 9, 2018, is granted. 2. The designated materials shall not be placed in the public record or made available for public inspection for an indefinite period of time, or until further Orders of this Commission. 3. Use of the materials in question in any proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 4. Martin District shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment. 5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order, Martin District shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Martin District is unable to make such demonstration, the requested materials shall be made available for inspection. 6. The Commission shall not make the requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Martin District to seek a remedy afforded by law.

10/12/18 Brian Cumbo Martin County Water District Martin County Water Districts Notice of Filing Information in Compliance with Order of March 16, 2018 - Monthly Requirements - Due October 15, 2018

09/07/18 Brian Cumbo Martin Water District Notice of Filing Information in Compliance with PSC Order of March 16, 2018 - Monthly Requirements - Due September 15, 2018

09/06/18 Order Entered: 1. Martin District's request for electronic filing for this case is granted. 2. The style of this case shall be amended to use the word "Electronic" as set forth above, and all future correspondence or filings in connection with this case shall reference the above style and case number. 3. All documents submitted in this proceeding shall comply with the Commission's rules of procedure as set forth in 807 KAR 5:001, and any deviation from these rules shall be submitted in writing to the Commission for consideration. 4. Any party filing a paper shall upload an electronic version using the Commission's E-Filing System and shall file an original and one copy in paper medium. 5. Any request for confidential treatment of material submitted shall conform to the requirements of 807 KAR 5:001, Section 13. 6. Materials submitted to the Commission that do not comply with the rules of procedure or that do not have an approved deviation are subject to rejection, pursuant to 807 KAR 5:001, Section 3.

08/31/18 Martin County Water District Motion for Leave to Electronically File

08/24/18 Martin County Water District Amended Petition to Request Confidentiality with Exhibits 9, 10, and 11

08/24/18 MCCC, Inc. Post-Hearing Memorandum

08/23/18 Martin County Water District Response to Commission Staffs Post Hearing Request for Information and Petition for Confidentiality

08/23/18 Martin County Water District Response to MCCC, Inc. Post-Hearing Request for Information

08/21/18 Order Entered: 1. No later than August 22, 2018, Martin District shall file with the Commission and serve upon all parties of record its Witness and Exhibit List, its responses to Commission Staff's Post-

Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 02, 2024*

Hearing Request for Information and to MCCC's Post-Hearing Request for Information in accordance with 807 KAR 5:001, Section 8, of the Electronic Filing Procedures. 2. Electronic documents shall be in portable document format (PDF), shall be searchable and shall be appropriately bookmarked. In accordance with 807 KAR 5:001, Section 8(3), Martin District shall file one copy in paper medium with the Commission as required by Subsection (12)(a)(2) of 807 KAR 5:001, Section 8.

3. No later than August 24, 2018, MCCC shall file with the Commission and serve upon all parties of record its post-hearing brief.

08/17/18	Martin County Water District Motion for Extension of Time and Request for Leave to File on Disc
08/15/18	Martin County Water District Notice of Filing in Compliance with Commission Order
08/14/18	Notice of Filing Hearing Documents
08/10/18	MCCC, Inc. Post Hearing Request for Information
08/09/18	Commission Staff's Post Hearing Request for Information to Martin County Water District
08/08/18	Order Entered: 1. Post hearing data requests shall be filed in the record on or before Friday, August 10, 2018. 2. Responses to post hearing data requests shall be filed in the record on or before Friday, August 17, 2018. 3. The parties have requested a briefing schedule which will be set out in a subsequent order.
08/02/18	Martin County Water District Affidavit of Publication
07/30/18	Alan H. Vilines Subpoena
07/30/18	Linda Sumpter Subpoena
07/30/18	Greg Scott Subpoena
07/30/18	Jimmy Don Kerr Subpoena
07/20/18	MCCC, Inc. Motion for Issuance of Subpoenas
07/19/18	Martin County Water District Notice of Formal Hearing Publication
07/16/18	Martin County Water District Notice of Filing in Compliance with Order
07/16/18	Martin County Water District Response to Commission Staff First Request for Information
07/09/18	MCCC Inc Objection to Martin County Water Districts Motion to Leave to Pay Vital Credits
07/06/18	Commission Staff's First Request for Information to Martin County Water District
07/02/18	Martin County Water District Supplemental Response to Staff Report
07/02/18	Martin County Water District Motion for Leave to Pay Vital Creditors from the Surcharge Account
06/29/18	Martin County Water District Response to Commission Staff Report
06/29/18	Martin County Concerned Citizens, Inc. Response to Staff Report
06/28/18	Order Entered: 1. A hearing in this matter shall be held on Tuesday, August 7, 2018, at 9:00 a.m. Eastern Daylight Time, at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 2. Martin County Water District ("Martin District") shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time the notice is mailed, or publication is requested, Martin District shall forward a duplicate of the notice and request to the Commission. 3. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.
06/18/18	Martin County Water District Notice of Filing in Compliance with Order
06/07/18	Order Entered: 1. MCCC's Motion for Extension of Time to Respond to the Staff Report is granted. 2. Martin District's Motion for Extension of Time is granted. 3. MCCC and Martin District shall have until June 30, 2018, to file responses to the Staff Report filed on May 22, 2018.
06/06/18	Martin County Water District Motion for Extension of Time
06/05/18	MCCC, Inc. Motion for Extension of Time to Respond to Staff Report
05/22/18	Notice of Filing of Commission Staff Report
05/21/18	Martin County Water District's Notice of Filing
05/09/18	Response E-mails to Multiple Comments
05/04/18	Martin County Water District Response to Commission Order
04/30/18	Order Entered: 1. No later than May 29, 2018, Commission Staff shall file with the Commission and serve upon all parties of record a written report containing its findings regarding Martin District's rate adjustment. 2. All provisions of the Commission's Order of February 20, 2018, in conflict with provisions of this Order are vacated. All other provisions of the Order of February 20, 2018, shall remain in effect.
04/27/18	Martin County Water District Motion for Extension of Time for Commissioner Training
03/27/18	Order Entered: 1. Martin District's Motion for Protective Order is granted. 2. Martin District shall not be required to respond to the requests for information submitted by MCCC on March 6, 2018.

Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 02, 2024*

03/20/18 Martin County Water District Response to Commission Staff's Post Hearing Data Request
 03/16/18 Order Entered: 1. Martin District is authorized to place into effect the interim base rate increase, subject to refund, and the surcharge set forth in the Appendix to this Order, for service rendered on and after the date of this Order. 2. Martin District shall maintain its records in such a manner as will enable it, or the Commission, or any of Martin District's customers, to determine the amounts to be refunded and to whom any refund is due in the event that a refund of any portion of the interim base rate increase is ordered by the Commission. 3. On the fifteenth of each month, beginning on April 15, 2018, Martin District shall provide monthly updates, supported by financial records, to the Commission on its attempts to identify uncollectibles and write off accounts, and report on its ability to sell any receivables that are deemed to be uncollectible by Martin District. 4. As of the date of this Order, Martin District shall immediately revise its termination-of-service procedures so they are consistent with its current tariff for nonpayment of bills. 5. On the fifteenth of each month, beginning on April 15, 2018, Martin District shall provide monthly revenue and expense reports to the Commission that show the amount of revenue billed, revenue received through base rates, and how each dollar collected was expensed. Included in this monthly report shall be a status update on restructuring of process for approval of employee purchases from each of Martin District's vendors.

03/16/18 Martin County Concerned Citizens, Inc. Response to Motion for Protective Order
 03/12/18 Martin County Water District Motion for Protective Order
 03/08/18 Notice of Filing Hearing Documents
 03/08/18 Commission Staff's Post Hearing Request for Information to Martin County Water District
 03/06/18 Martin County Concerned Citizens, Inc. Initial Requests for Information from Martin County Water District
 02/28/18 Response E-mails to Multiple Comments
 02/28/18 Response E-mail to Food & Water Action Bulk E-mails
 02/27/18 Response E-mails to Multiple Comments
 02/26/18 Martin County Water District Notice of Publication via Facebook
 02/26/18 Prestonsburg City's Utilities Commission Witness and Exhibit List
 02/26/18 Prestonsburg City's Utilities Commission Motion to Intervene
 02/23/18 Subpoena for Greg Dunbar to Appear Before the Public Service Commission February 28, 2018 at 1:00 p.m.
 02/23/18 Subpoena for Larry James to Appear Before the Public Service Commission February 28, 2018 at 1:00 p.m.
 02/23/18 Subpoena for Turner E. Campbell to Appear Before the Public Service Commission February 28, 2018 at 1:00 p.m.
 02/22/18 Martin County Water District's Response to Post Hearing Request for Information
 02/20/18 Order Entered: 1. This proceeding is established to review the reasonableness of Martin District's proposed rates. 2. No later than May 1, 2018, Commission Staff shall file with the Commission and serve upon all parties of record a written report ("Staff Report") containing its findings and recommendations regarding Martin District's requested rate adjustment. 3. No later than 14 days after the date of the filing of the Commission Staff Report each party of record shall file with the Commission: a. Its written comments on and any objections to the findings contained in the Commission Staff Report; and b. Any additional evidence for the Commission to consider. 4. If Commission Staff finds that Martin District's financial condition supports a higher rate than Martin District proposes or the assessment of an additional rate or charge not proposed in Martin District's Application, Martin District in its response to the Commission Staff Report shall also state its position in writing on whether the Commission should authorize the assessment of the higher rate or the additional rate or charge. 5. If Commission Staff finds that changes should be made to the manner in which Martin District accounts for the depreciation of Martin District's assets, Martin District in its response to the Commission Staff Report shall also state its position in writing on whether the Commission should require Martin District to implement the proposed change for accounting purposes.

02/20/18 Gary Ball Public Comment
 02/19/18 Order Entered: 1. Martin District, including its Chair and Treasurer of its Board of Commissioners, and Martin District's accountant, shall appear at a formal hearing scheduled for February 28, 2018, at 1 :00 p.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. 2. Martin District shall give notice of the hearing by any means available to it in the intervening time, including posting on its webpage or social media account. In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time the notice is mailed, publication is requested, or is posted

Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of May 02, 2024

on a website or social media platform, Martin District shall forward a duplicate of the notice, request, or posting to the Commission. 3. Pursuant to KRS 278.360 and 807 KAR 5:001 , Section 9(9), a digital video transcript shall be made of the hearing.

02/15/18 Response E-mail to Martin County School Supt. Larry James

02/12/18 Anonymous Public Comment

02/12/18 Anonymous Public Comment

02/08/18 Martin County Water District Affidavit of Publication

02/07/18 Brian Cumbo Entry of Appearance on Behalf of Martin County Water District

02/06/18 Response to Multiple Comments

02/02/18 Order Entered: 1. The motion to intervene is granted. 2. MCCC shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by the parties after the date of this Order.

02/02/18 Wilma Spaulding Public Comment

02/02/18 Roy L. Spaulding Public Comment

02/01/18 Notice of Filing Hearing Documents

02/01/18 Bill Harvey Public Comment

01/31/18 Commission Staff's Post Hearing Request for Information to Martin County Water District

01/31/18 Edna Clile Public Comment

01/31/18 Aurelia Howard Public Comment

01/30/18 Response E-mails to Multiple Comments

01/30/18 Delcie Fitch Public Comment

01/29/18 Karen Fitzgerald Public Comment

01/29/18 Sharlene Jude Public Comment

01/26/18 Response E-mails to Multiple Comments

01/26/18 Response E-mails to Multiple Comments

01/26/18 Linda Preece Public Comment

01/26/18 Robert D. Preece Public Comment

01/26/18 Cathy Smith Public Comment

01/24/18 Connie Adkins Public Comment

01/23/18 Martin County Concerned Citizens, Inc. Motion to Intervene

01/22/18 Order Entered: 1. Martin County, including its Chair and Treasurer of its Board of Commissioners, and accountant, shall appear at a formal hearing scheduled for January 26, 2018 at 9:30 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. 2. Martin County shall give notice of the hearing by any means available to it in the intervening time, including posting on its webpage or social media account. In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time the notice is mailed, publication is requested , or is posted on a website or social media platform, Martin County shall forward a duplicate of the notice, request, or posting to the Commission. 3. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing. 4. The record of Commission Case No. 2016-00142 is incorporated into the record of this proceeding by reference.

01/22/18 No deficiency letter

01/22/18 Linda Smith Public Comment

01/22/18 Shelby J. Adkins Public Comment

01/22/18 Charles Speer Public Comment

01/22/18 Denise Endicott Public Comment

01/22/18 Thelma Davis Public Comment

01/22/18 Christopher Raines Public Comment

01/22/18 Edward Gess Public Comment

01/22/18 Clinton Raines Jr. Public Comment

01/22/18 Clinton Raines Sr. Public Comment

01/22/18 Phillip Smith Public Comment

01/22/18 Jack Harmon Public Comment

01/22/18 Ernest Dials Public Comment

01/17/18 Acknowledge Receipt of Filing

01/16/18 Martin County Water District Application for an Alternative Rate Adjustment