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Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of April 13, 2024***2023-00125**

RECEIVED: 06/07/23

FILED: 06/07/23

FINAL: 04/02/24

REOPENED:

SUSPENSION DATE:

CASE NATURE: Alleged Failure to Comply with a Commission Order

CASE CODE

Investigation - Rates

UTILITIES:

Sharpsburg Water District

HEARINGS:

01/18/24 Formal Hearing

INDEX OF EVENTS:

- 04/02/24 Final Order Entered: 1. Alfred Bailey, Cecil Duncan, Judy Harmon, Randy Warner, and Billy Martin, individually, are each assessed and shall each pay two civil penalties of \$500 each, to run concurrently, within one year of service of this Order for their willful violation of a Commission Order. 2. Payment pursuant to ordering paragraph 1 shall be made by cashier's check or money order payable to the Kentucky State Treasurer and mailed or delivered to the Office of the General Counsel, Kentucky Public Service Commission, 211 Sower Boulevard, Post Office Box 615, Frankfort, Kentucky 40602. 3. The Commission shall waive the two civil penalties of \$500 for each individual who attends 12 hours of Commission-approved training within one year of the date of service of this Order and provides written notice that they attended the training within 13 months of the date of service of this Order. 4. Any written notice provided pursuant to ordering paragraph 3 shall include the case number for this case and be maintained in the post-case correspondence file for this case. 5. Any newly adopted or amended policies and procedures for Sharpsburg District as result of this case shall include the case number for this case and be maintained in the post-case correspondence file for this case. 6. This case is closed and removed from the Commission's docket.
- 03/05/24 Notice of Filing Hearing Documents - January 18, 2024
- 02/15/24 Earl Rogers III Sharpsburg Water District and Officers Post Hearing Memorandum of Sharpsburg Water District its Directors and General Manager, and read first letter
- 01/25/24 Earl Rogers III Sharpsburg Water District Sharpsburg Water Districts response to Commission Staff Post-Hearing Request for Information and read first letter
- 01/22/24 COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO SHARPSBURG WATER DISTRICT AND ITS OFFICERS, ALFRED BAILEY, CECIL DUNCAN, JUDY HARMON, RANDY WARNER, BILLY MARTIN AND ITS MANAGER, GAYLE HANEY
- 01/22/24 Order Entered: 1. Post-hearing requests for information, if any, shall be filed on or before January 22, 2024. 2. Responses to post-hearing requests for information shall be filed on or before February 5, 2024. 3. Counsel for Sharpsburg Water District and its officers, Alfred Bailey, Cecil Duncan, Judy Harmon, Randy Warner, Billy Martin and its manager, Gayle Haney (collectively, Parties) shall file a memorandum brief in support of the Parties' post-hearing position on or before February 26, 2024. 4. This case shall stand submitted for a decision by the Commission effective 12:01 a.m. Eastern Standard Time, February 27, 2024.
- 01/11/24 Earl Rogers III Sharpsburg Water District Proof of Publication of Notice of Hearing, Affidavit and copy of Newspaper ad and read first letter
- 12/19/23 Earl Rogers III Sharpsburg Water District Sharpsburg Water District response to Commission Staff second request for information and read first letter
- 12/13/23 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO SHARPSBURG WATER DISTRICT AND ITS OFFICERS, ALFRED BAILEY, CECIL DUNCAN, JUDY HARMON, RANDY WARNER, BILLY MARTIN, AND ITS MANAGER, GAYLE HANEY
- 11/03/23 Order Entered: 1. A hearing in this matter shall be held on January 18, 2024, at 9 a.m. Eastern Standard Time and continuing until called from the bench by the presiding officer, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 2. Sharpsburg Water District's (Sharpsburg District) officers, Alfred Bailey, Cecil Duncan, Judy Harmon, Randy Warner, Billy Martin, and its manager, Gayle Haney (collectively, Parties), who are parties to this proceeding, shall appear at the January 18, 2024 hearing to provide testimony regarding the subject matter of this proceeding. 3. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing may be continued upon verbal

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announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing. 4. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at the January 18, 2024 hearing. 5. The Parties 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.

- 08/29/23 Earl Rogers III Sharpsburg Water District Sharpsburg Water District Response to first set of Commission Data Requests and read first letter
- 08/24/23 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO SHARPSBURG WATER DISTRICT AND ITS OFFICERS, ALFRED BAILEY, CECIL DUNCAN, JUDY HARMON, RANDY WARNER, BILLY MARTIN, AND ITS MANAGER, GAYLE HANEY
- 06/19/23 Earl Rogers III Sharpsburg Water District and Officers Response of Sharpsburg Water District and Officers to Commission Order Of June 7 2023
- 06/19/23 Earl Rogers III Sharpsburg Water District and Officers Entry of Appearance of Counsel and Read First Letter
- 06/07/23 Order Entered: 1. Sharpsburg District; Alfred Bailey, Cecil Duncan, Judy Harmon, Billy Martin, Randy Warner, and Gayle Haney shall submit individual written responses to the allegations contained in this Order within 20 days of the date of service of this Order, including but not limited to any, and all written testimony or documentation that would dispute the allegations. 2. Counsel for the parties shall enter an appearance or appearances within 20 days of the date of service of this Order. 3. The Commission directs Sharpsburg District, Alfred Bailey, Cecil Duncan, Judy Harmon, Billy Martin, Randy Warner, and Gayle Haney to the Commission's July 22, 2021 Order in Case No. 2020-00085¹¹ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. 4. The record of Commission Case No. 2021-00189 is incorporated by reference into this proceeding. 5. Bath County Judge Executive Forrest McKenzie shall be served with a copy of this Order at P.O. Box 39, Owingsville, Kentucky 40360. 6. Nicholas County Judge Executive Steve Hamilton, shall be served with a copy of this Order at 125 East Main Street, Carlisle, Kentucky 40311. 7. Alfred Bailey, Cecil Duncan, Judy Harmon, Billy Martin, Randy Warner, and Gayle Haney, respectively, shall each be served with a copy of this Order by certified mail, return receipt requested, at 16 East Mill Street, Sharpsburg, Kentucky 40374.

Total Number of Cases: 1