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January 24, 2002

Mr. Richard C. Svindland, P.E.  
Kentucky-American Water Company  
2300 Richmond Road  
Lexington, Kentucky 40502

Re: Distributive Control System Improvements  
Project 01-03

Dear Mr. Svindland:

This is in response to your letter received January 22, 2002, regarding your water system improvements. You have requested an opinion on whether there is a need to obtain prior Commission approval for the extension pursuant to KRS 278.020 & 807 KAR 5:001, Section 9.

Staff has reviewed the information and is of the opinion that prior Commission approval is not needed. We concur with your position that the new improvement is, pursuant to 807 KAR 5:001, Section 9(3), in the ordinary course of business. However, the proposed construction may include fire hydrants. When fire hydrants are installed on jurisdictional water utility systems, the fire hydrants must be certified by a licensed engineer pursuant to 807 KAR 5:066, Section 10(2)(b) or the fire hydrants may not be installed. Staff will retain the information for our files.

Additionally, please notify us when the construction project is completed. If you have any questions, you may contact George Wakim of our Engineering Staff at the above address.

This letter represents Commission Staff's interpretation of the law as applied to the facts presented. This opinion is advisory in nature and not binding on the Commission should the issues herein be formally presented for Commission resolution. Questions concerning this opinion should be directed to Gerald Wuetcher, Commission counsel.

Sincerely,

Thomas M. Dorman  
Executive Director



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