

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE TARIFF FILING OF JESSAMINE-SOUTH)	
ELKHORN WATER DISTRICT TO ADD A NEW)	CASE NO.
RULE TO FURNISH FREE WATER TO)	2001-215
EXTINGUISH FIRES)	

ORDER

On June 25, 2001, Jessamine-South Elkhorn Water District (“District”) filed with the Commission a proposed tariff revision wherein it would allow free water to any fire department for fire fighting or training. On July 20, 2001, the Commission suspended the tariff to determine the reasonableness of the proposed tariff revision. On August 3, 2001, the Commission granted intervention to the Attorney General. The Commission has received no comments from the Attorney General regarding this matter. No other entity has intervened in this case.

The District is a utility as defined in KRS 278.010(3)(d). As stated previously, the tariff provides that the District may provide free water to fire departments that receive public funds for extinguishing fires or training their personnel. The proposed tariff will allow the fire departments free water for a 2-hour period. The departments must pay for any water used in excess of that 2-hour period at the District’s applicable rates.

KRS 278.170(3) provides that a water utility may provide free or reduced service so long as the fire department estimates the amount of water used. The tariff as proposed does not contain this provision. KRS 278.170(3) mandates that any tariff contain this provision.

Providing free water for this purpose is not only allowed by statute; it is also a laudable public service. The Commission finds that the 2-hour limitation is reasonable. However, the District must file a revised tariff containing the provision that the fire department must maintain an estimate of the water used in that 2-hour period and report this usage to the District on a periodic basis.

Based upon the foregoing, and being otherwise sufficiently advised, IT IS HEREBY ORDERED that:

1. The proposed tariff is reasonable and allowed pursuant to KRS 278.170(3) so long as it contains the provision that the user of the free service will maintain an estimate of the water used.
2. The District shall file a revised tariff in accordance with this Order within 14 days of the date of this Order. Should the District fail to provide a revised tariff within that time period, the tariff shall be deemed rejected without further Order.
3. Should the District file the tariff it shall become effective without further Order.

Done at Frankfort, Kentucky, this 4th day of October, 2001.

By the Commission

ATTEST:


Executive Director