

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO THE ADEQUACY OF)
THE WATER SUPPLY OF MAGOFFIN COUNTY) CASE NO. 2008-00443
WATER DISTRICT)

COMMISSION STAFF'S FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO
MAGOFFIN COUNTY WATER DISTRICT

Pursuant to Administrative Regulation 807 KAR 5:001, Commission Staff requests that Magoffin County Water District ("Magoffin District") file the original and 6 copies of the following information with the Commission no later than December 10, 2008, with a copy to all parties of record.

Responses to requests for information shall be appropriately bound, tabbed and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or shall be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Magoffin District shall make timely amendment to any prior responses if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any requests to which Magoffin District fails or refuses to furnish all or part of the requested information, it shall

provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations.

1. Identify the persons who prepared and are responsible for Magoffin District's Response to the Commission's Order of October 17, 2008.
2. Provide a map of Magoffin District's water distribution system at a scale of at least one inch equals two miles, marked to show Magoffin District's distribution system. This map shall show pipeline sizes, locations, and connections as well as pumps, water storage tanks, and sea level elevation points.
3. Describe Magoffin District's existing water storage capacity. For each storage facility, state:
 - a. Location;
 - b. Maximum capacity; and
 - c. Type (e.g., standpipe, elevated, clearwell).
4. Provide the findings and reports of all studies that Magoffin District has commissioned, prepared, or been involved in that address the adequacy of Magoffin District's water supply.

5. Provide the findings and reports of all studies that Magoffin District has commissioned, prepared, or been involved in that address the adequacy of Magoffin District's water facilities.

6. a. List each interconnection that Magoffin District presently has with other water distribution systems.

b. For each interconnection, state the capacity of the interconnection (in gallons per day) and whether Magoffin District has a contract to purchase water through the interconnection.

c. For each interconnection for which Magoffin District presently has a contract to purchase water, provide a copy of that contract.

7. a. List all water distribution systems for which Magoffin District has considered or studied the possibility of an interconnection.

b. For each system listed:

(1) Describe the actions that Magoffin District undertook to study a possible interconnection.

(2) Provide a copy of all correspondence and other communication with the system in which interconnection was discussed.

(3) If Magoffin District determined that an interconnection was not feasible or practical, state the reasons for this determination.

8. a. State whether Magoffin District has had any discussions with Paintsville Utilities Commission ("PUC") since January 1, 2003 regarding the purchase of water on a regular, non-emergency basis.

b. If yes, describe each of these discussions.

9. Provide all correspondence and written communications, including electronic mail messages, between Magoffin District and PUC in which the purchase of water was discussed.

10. Provide a copy of the present water supply contract between the city of Salyersville ("Salyersville") and Magoffin District.

11. Refer to Magoffin District's Response to the Commission's Order of October 17, 2008, Item 2. Identify the source of information for this response and explain how Magoffin District derived this response.

12. State the date, duration and reason for each boiled water advisory that Magoffin District has issued since January 1, 2003.

13. Provide a copy of Magoffin District's water shortage response plan.

14. a. State each time period since January 1, 1996 during which Magoffin District implemented water restrictions.

b. For each time period listed:

(1) State the reason for implementing water restrictions; and

(2) State the customer classes (e.g., retail, wholesale) that were subject to the restrictions.

15. Provide a copy of the most current resolution of Magoffin District's Board of Commissioners related to water shortage response and water rationing.

16. State whether Magoffin County Fiscal Court has adopted an ordinance to enforce the provisions of any water shortage response plan that Magoffin District has developed.

17. a. State whether Magoffin District has formally accepted and agreed to implement Salyersville's water shortage response plan.

b. State the date of Magoffin District's acceptance and agreement.

c. Provide a copy of all written documents in which Magoffin District stated its acceptance and agreement to Salyersville's water shortage response plan.

18. a. State whether the contract between Magoffin District and PUC, which was entered on May 18, 2008, has been filed with the Commission.

b. Describe the efforts that Magoffin District has undertaken to ensure that the contract between Magoffin District and PUC, which was entered on May 18, 2008, has been filed with the Commission.

19. State whether Magoffin District has contracts for the purchase of water from wholesale suppliers other than Salyersville and PUC. If yes, identify these suppliers.

20. a. State whether Magoffin District is aware of the Regional Emergency Water Interconnection Plan ("Water Interconnection Plan") that Big Sandy Area Development District issued in April 2005.

b. If yes, state the actions, if any, that Magoffin District took in response to the findings and recommendations contained in the Water Interconnection Plan.

21. a. State whether Magoffin District's representatives or employees participated in preparation of the Water Interconnection Plan.

b. If yes, identify each representative or employee and his or her involvement in the plan's preparation.

22. a. State whether Magoffin District has ever purchased water from PUC.

b. If Magoffin District has previously purchased water from PUC:

(1) Provide Magoffin District's total annual purchases from PUC for each year since 1996.

(2) State the reasons why Magoffin District ceased purchasing water from PUC.

23. Describe the purpose and the current status of WRIS Project WX21153022 for which Magoffin District has sought funding from the Kentucky Infrastructure Authority.

24. Provide the minutes of each meeting of Magoffin District's Board of Commissioners since January 1, 2003 in which the adequacy of Magoffin District's water supply was discussed.

25. Provide the minutes of each meeting of Magoffin District's Board of Commissioners since January 1, 2003 in which potential water supply agreements with suppliers other than Salyersville were discussed.

26. a. Describe the actions, if any, that Magoffin District took to request and obtain Executive Order 2008-001056, which announced a state of emergency in Magoffin County.

b. Provide a copy of all correspondence and other written communications, including electronic mail messages, which Magoffin District officials sent or received from state officials discussing a declaration of a state of emergency.

27. Provide a copy of the most recent version of the water supply plan for Magoffin County.

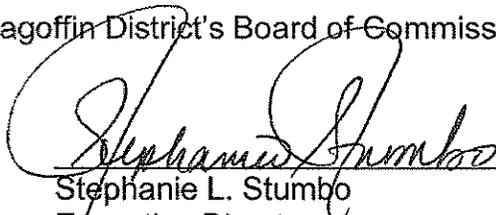
28. Provide a copy of each bill that Magoffin District has received from Salyersville for water service since January 1, 2003.

29. List and explain each of the criteria that Magoffin District will use to determine if purchases of water from PUC should be made.

30. a. Identify the person(s) responsible for the planning and operation of Magoffin District's water distribution system. For each person listed, state his or her position with Salyersville.

b. Identify the person(s) responsible for the negotiation of water supply contracts on behalf of Magoffin District. For each person listed, state his or her position with Salyersville.

31. List the current members of Magoffin District's Board of Commissioners.


Stephanie L. Stumbo
Executive Director
Public Service Commission
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DATED: NOVEMBER 26, 2008

cc: Parties of Record