

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF NORTHERN)	
KENTUCKY WATER DISTRICT FOR)	CASE NO.
ACCREDITATION AND APPROVAL OF A)	2026-00068
PROPOSED WATER DISTRICT MANAGEMENT)	
TRAINING PROGRAM)	

ORDER

On March 24, 2026, Northern Kentucky Water District (Northern Kentucky District) and Stoll Keenon Ogden PLLC filed an application¹ for approval and accreditation, pursuant to KRS 74.020(6) and (7) and 807 KAR 5:070, for the proposed water district management training titled *Northern Kentucky Water Training 2026* (Training Program) scheduled to take place on April 29, 2026, at Northern Kentucky District's office in Erlanger, Kentucky.² Having reviewed the Northern Kentucky District's request and being otherwise sufficiently advised, the Commission approves the Training Program to satisfy the six hours of training described by KRS 74.020(6) and (7), subject to the conditions discussed below. Northern Kentucky District did not request the Training Program be approved and accredited to satisfy any portion of the 12 hours of initial training for newly appointed commissioners required by KRS 74.020(8).

¹ All applications should be filed in an optimized pdf format (searchable or OCR) and include bookmarks to distinguish sections. Any future applications from [ALIAS] not meeting this requirement will be rejected as deficient.

² Application (filed Mar. 24, 2026) at 2.

DESCRIPTION OF THE TRAINING PROGRAM

Northern Kentucky District provided the agenda, the PowerPoints, and biographical information for the speakers. Pursuant to the agenda, the proposed Training Program will consist of the following sessions:

1. Recent Developments in Utility Regulation (1 hour): This presentation reviews recent developments in public utility law and regulation at the state level.³ Topics include laws enacted by the 2026 Kentucky General Assembly affecting public utilities, compliance with orders of the Public Service Commission, keeping minutes of board meetings, borrowing money, and Commission investigations and decisions.⁴

2. Recent Developments in Utility Law at the Federal Level (1 hour): This training reviews recent developments in federal law that have or will affect public water utilities and recently enacted or proposed federal legislation regarding public water systems.⁵ Topics include recent federal court decisions involving the Safe Drinking Water Act and Cleaner Water Act and the recent U.S. Environmental Protection Agency's regulations regarding PFAS.⁶

3. Asset Management Planning (1 hour): This presentation provides an overview of asset management planning for public water utilities, covering the regulatory framework, industry best practices, and practical implementation strategies.⁷ The presenters will discuss how asset management planning relates to Kentucky Public

³ Application, Exhibit 1 at 1.

⁴ Application, Exhibit 1 at 1.

⁵ Application, Exhibit 1 at 1.

⁶ Application, Exhibit 1 at 1.

⁷ Application, Exhibit 1 at 1.

Service Commission requirements, including applications for certificates of public convenience and necessity under KRS 278.020 and debt authorization under KRS 278.300.⁸ The presentation will discuss the five core components of a sustainable asset management program and address how a documented asset management plan strengthens rate case filings and applications for financial assistance, such as the Drinking Water State Revolving Fund.⁹

4. Kentucky Infrastructure Authority, Programs and Resources for Water Utilities (1 hour): This training provides an overview of the Kentucky Infrastructure Authority (KIA) and its programs available to public water utilities, including eligibility requirements, the application and review process, loan terms and conditions, and how utilities can position their applications for success.¹⁰ The training will also address how KIA program requirements intersect with Public Service Commission approval of debt issuance under KRS 278.300 and certificates of public convenience and necessity under KRS 278.020.¹¹

5. Water Utility Tariffs: Practical Considerations (1 Hour): This presentation will highlight various provisions that a water utility should have as part of its tariff to protect against financial and legal liability as well as avoid common customer disputes.¹² The training will discuss the statutory and regulatory framework for utility tariffs and the

⁸ Application, Exhibit 1 at 1.

⁹ Application, Exhibit 1 at 1.

¹⁰ Application, Exhibit 1 at 2.

¹¹ Application, Exhibit 1 at 2.

¹² Application, Exhibit 1 at 2.

process by which a tariff may be revised and practical suggestions for improving a water utility's tariff.¹³

6. Legal Issues in the Operation and Management of Water Systems (1 hour):

This training will discuss KRS Chapter 74 and its effects on the management and operation of water districts, as well as other highly relevant statutory provisions, such as the Claims against Local Government Act, Bidding Requirements, provision of KRS Chapter 424, Eminent Domain, Local Model Procurement Law and the Whistle Blowers Act.¹⁴ A panel of attorneys will discuss audience questions and explain and general laws related to special districts and Commission regulatory requirements.¹⁵

7. PSC Consumer Services, One-on-One Discussion (2 hours): This

presentation will discuss the requirements of the Commission's regulation on consumer relations and includes a question-and-answer session for utility customer representatives.¹⁶

DISCUSSION

KRS Chapter 74 authorizes the creation of water districts for the purpose of operating drinking water facilities and wastewater treatment and collection facilities. Water districts organized under KRS Chapter 74 must be administered by a board of commissioners that shall control and manage the affairs of the district.¹⁷ KRS 74.020(8) requires each newly appointed water district commissioner to complete 12 instructional

¹³ Application, Exhibit 1 at 2.

¹⁴ Application, Exhibit 1 at 2.

¹⁵ Application, Exhibit 1 at 2.

¹⁶ Application, Exhibit 1 at 1-2.

¹⁷ KRS 74.020(1).

hours of training regarding the laws governing the management and operation of water districts, and other subjects as determined appropriate by the Commission within 12 months of the commissioners' initial appointment.¹⁸ KRS 74.020(6) and (7) encourage water district commissioners to complete six instructional hours of "water district management training approved by the Public Service Commission" in each calendar year by allowing the commissioners to receive a raise if they complete the training each year.

Northern Kentucky District indicates that it is seeking to have the Training Program approved to satisfy six hours of annual training necessary for water district commissioners to satisfy KRS 74.020(6) and (7), but it is not seeking to have it approved to satisfy the initial training requirements of KRS 74.020(8). The Commission has discretion in approving "water district management training" offered by third parties to satisfy the six hours of subsequent training described in KRS 74.020(6) and (7) if it determines that the programs are "high quality" and "will enhance a water district commissioner's understanding of his or her responsibilities and duties."¹⁹ However, third parties applying for approval of a proposed water district commissioner training program must file their applications, including a detailed description of the program, a description of the qualifications of any presenters, and a copy of the written materials to be distributed at the program among other things, 30 days prior to the first date on which the program is to be offered.²⁰

¹⁸ KRS 74.020(8)(b) (discussing the training requirements for new water district commissioners).

¹⁹ See KRS 74.020(7)(c) (stating that the Commission "shall encourage and promote the offering of high-quality water district management training programs that enhance a water district commissioner's understanding of his or her responsibilities and duties").

²⁰ Case No. 2018-00085, *Review of Training Required and Authorized by KRS 74.020 for the Commission of Water Districts* (Ky. PSC Mar. 15, 2018), Order at 4–5.

Northern Kentucky District provided the information required by 807 KAR 5:070 and the Commission's Order in Case No. 2018-00085 in a timely manner. The Training Program covers topics that will be relevant and useful to water district commissioners. Moreover, the presenters appear to have knowledge of the topics they intend to discuss, and based on a review of the materials provided, the Training Program appears to be well developed and of a high quality.

The Commission finds that the Training Program will provide water district commissioners relevant and useful knowledge that will enhance the quality, management, operation, or maintenance of the water systems they operate, and therefore the Training Program should be conditionally approved to satisfy the training requirements set forth in KRS 74.020(6) and (7) or a portion thereof.

IT IS THEREFORE ORDERED that:

1. Northern Kentucky District's Training Program scheduled to take place on April 29, 2026, is hereby conditionally approved and accredited for up to six hours of annual water district management training for water district commissioners seeking to satisfy training requirements set forth in KRS 74.020(6) and (7).

2. Northern Kentucky District's Training Program may not be used by water district commissioners seeking to satisfy any portion of the initial training requirement for water district commissioners required by KRS 74.020(8).

3. Northern Kentucky District shall retain a record of all water district commissioners attending the Training Program.

4. No later than 45 days after each scheduled offering of the Training Program, Northern Kentucky District shall file with the Commission:

a. A sworn statement attesting that the accredited instruction was performed, including a statement that the materials regarding each session were distributed as required by the Commission herein;

b. A description of any changes in the presenters or proposed curriculum that occurred after the application;

c. The name of each attending water district commissioner, his or her water district, the number of hours that he or she attended; and

d. A copy of any written material given to water district commissioners attending the sessions that was not previously provided to the Commission.

5. Upon receipt of the materials identified in ordering paragraph 4 and provided there are no material changes to the program, the Commission shall issue a final order approving and accrediting the Training Program.

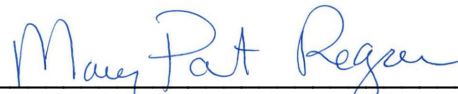
6. Northern Kentucky District shall permit a representative of the Commission to attend the Training Program at the Commission's discretion, without charge, to assess compliance with this Order or the quality of instruction for any other purpose deemed necessary by the Commission.

Entered on this 21st day of April, 2026.


PUBLIC SERVICE COMMISSION



Angie Hatton
Chair



Mary Pat Regan
Commissioner



Andrew W. Wood
Commissioner

ATTEST:



Linda C. Bridwell, PE
Executive Director

Service List for 2026-00068

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