

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF MONROE COUNTY)
WATER DISTRICT TO MODIFY THE ORDER)
OF MARCH 18, 2016 IN CASE NO. 2015-00315)
TO REFLECT REVISIONS IN THE DESIGN) **CASE NO. 2018-00148**
OF THE APPROVED WATER TREATMENT)
FACILITY AND IN THE ASSISTANCE)
AGREEMENT WITH THE KENTUCKY)
INFRASTRUCTURE AUTHORITY)

MOTION TO SUPPLEMENT APPLICATION
AND FOR EXPEDITED DECISION

Pursuant to 807 KAR 5:001, Section 4, Monroe County Water District (“Monroe District”) moves for leave to supplement its Application with a copy of Kentucky Division of Water’s (“KDOW”) approval of the plans and specifications for the proposed flocculation and sedimentation basin and for an expedited decision on its Application in this proceeding.

In support of its Motion, Monroe District states:

1. On May 22, 2018, Monroe District tendered its application for modifications to the Commission’s Order of March 18, 2016 in Case No. 2015-00315 to permit Monroe District to construct a one-million gallon flocculation and sedimentation basin at its recently constructed water treatment facility, to increase the amount of its authorized loan from the Kentucky Infrastructure Authority (“KIA”) to \$15,675,378, and to authorize Monroe District’s use of a portion of the proceeds of the KIA loan to construct the proposed flocculation and sedimentation basin.

2. The plans and specifications for the proposed basin require KDOW approval. Monroe District applied to KDOW for such approval on April 20, 2018. When Monroe District

tendered its Application to the Commission on May 22, 2018, KDOW had not yet granted such approval.

3. In its *Motion to Incorporate Record and to Permit Deviation from Certain Filing Requirements*, which accompanied Monroe District's Application, Monroe District acknowledged the absence of KDOW's approval of the proposed basin's plans and specifications and the requirement that evidence of such approval be included in Monroe District's Application.¹ Monroe District requested that, in lieu of such evidence, the Commission authorize a deviation from that requirement to permit the acceptance of Monroe District's Application for filing purposes.

4. In its *Motion to Incorporate Record and to Permit Deviation from Certain Filing Requirements*, Monroe District stated that granting the requested deviation would permit the Commission to accept the Application for filing purposes and allow the Commission to begin its review while KDOW's review continued. Monroe District acknowledged that no Commission approval of the proposed flocculation and sedimentation basin could be granted until KDOW approval had been obtained and evidence of such approval submitted to the Commission. It asserted that the requested deviation would shorten the overall time for review by allowing the Commission to review the other aspects of the Application while KDOW completed its review.

5. The Commission has yet to take any formal action on the Application or the *Motion to Incorporate Record and to Permit Deviation from Certain Filing Requirements*.

6. On July 18, 2018, the KDOW approved the plans and specifications for the proposed basin. A copy of the letter evidencing this approval is attached as Exhibit A to this Motion.

¹ 807 KAR 5:001, Section 15(2)(b).

7. Monroe District wishes to supplement its tendered Application with KDOW's letter of July 18, 2018.

8. Upon the Commission's approval of Monroe District's request to supplement its Application, the Application will meet all filing requirements, can be accepted for filing, and is ready for immediate Commission review. Commission approval of Monroe District's request to supplement its Application will also render moot Monroe District's request for a deviation.

9. A significant savings in the time and cost of constructing the flocculation and sedimentation basin can be achieved if construction begins soon. The contractor responsible for the construction of the facilities approved in Case No. 2015-00315 has maintained a construction crew in the Tompkinsville area to work on another water utility construction project. That project will be completed shortly and the construction crew will be assigned to other projects. If approval of the proposed construction is granted within the next 14 days, the contractor will avoid the need to assemble a new construction crew or reassemble the necessary equipment to construct the proposed basin. Furthermore, if delays in the start of construction occur due to the Contractor's redeployment of his present work crew, there is a significant risk that the prices for project materials, such as those composed of steel or aluminum may increase due to volatile market conditions.²

WHEREFORE, Monroe County Water District requests that the Commission:


1. Permit Monroe District to supplement its Application with the letter of July 18, 2018 from the KDOW, a copy of which is attached as Exhibit A to this Motion;
2. Accept the Application, as supplemented with Exhibit A, for filing;
3. Incorporate by reference the record of Case No. 2015-00315 into the record of this proceeding as requested in Monroe District's Motion of May 22, 2018;

² See Exhibit 16 to Application.

4. Issue a final decision on the Application within the next 14 days; and;
5. Authorize any other relief to which Monroe District is entitled.

Dated: July 19, 2018

Respectfully submitted,



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Counsel for Monroe County Water District

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that Monroe District's July 19, 2018 electronic filing of this Motion is a true and accurate copy of the same document being filed in paper medium; that the electronic filing has been transmitted to the Commission on July 19, 2018; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that an original paper medium of this Motion will be delivered to the Commission on or before July 22, 2018.



Gerald E. Wuetcher

EXHIBIT A

MATTHEW G. BEVIN
GOVERNOR



CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

ANTHONY R. HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

July 18, 2018

Mr. Richard Ross
Monroe Co Water District
205 Capp Harlan Rd
Tompkinsville, KY 42167

RE: Phase IX Improvements Contract 1 WTP CO 8
Monroe County, KY
Monroe Co Water District
AI#: 34034, APE20180001
PWSID # 0860150-18-001

Dear Mr. Ross:

We have received the Plans and Specifications for the above referenced project. The project consists of installation of a new treatment train consisting of a static mixer, flocculation basin, and a sedimentation basin, and appurtenant piping. This is to advise that plans and specifications covering the above referenced subject are APPROVED with respect to sanitary features of design as of this date with the following stipulations:

- a) The capacity of the treatment plant shall be 1.88 mgd (1,306 gpm).
 1. The maximum flow through the Actiflo train shall not exceed 1.44 mgd or 1,003 gpm.
 2. The maximum flow through the conventional treatment (flocculation and sedimentation basin) train shall not exceed 1.2 mgd or 833 gpm.
 3. Combined flow through both trains shall not exceed 1.88 mgd or 1,306 gpm.
- b) Monroe County Water District shall make sure that both treatment trains are used on a regular basis, whether individually or combined. Neither treatment train shall become mothballed.
- c) No discharges shall be made within five miles upstream of any drinking water intake stations (Kentucky Division of Water five-mile policy).
- d) The project shall be constructed in accordance with the requirements of 401 KAR 8:100.

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When this project is completed, the owner shall submit a written certification to the Division of Water that the above referenced water supply facilities have been constructed and tested in accordance with the approved plans and specifications and the above stipulations. Such a certification shall be signed by a licensed professional engineer.

This approval has been issued under the provisions of KRS Chapter 224 and regulations promulgated pursuant thereto. Issuance of this approval does not relieve the applicant from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal and local agencies.

Unless construction on this project commences within two years from the date of this approval letter, Monroe Co Water District shall re-submit the original plans and specifications for a new comprehensive review.

If you have any questions concerning this project, please contact Mark Rasche at 502-782-6162.

Sincerely,

A handwritten signature in blue ink that reads "Mark Rasche". The signature is written in a cursive style with a large initial "M".

Mark Rasche, P.E.
Water Infrastructure Branch
Division of Water

MR

Enclosures

c: Stigall Engineering Associates
Monroe County Health Department
Division of Plumbing
Columbia Regional Office