

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

GRAVES COUNTY WATER DISTRICT'S)	
UNACCOUNTED-FOR WATER LOSS)	CASE NO. 2019-00347
REDUCTION PLAN, SURCHARGE, AND)	
MONITORING)	

MOTION FOR APPROVAL OF USE OF SURCHARGE PROCEEDS

Pursuant to Order of September 30, 2019 in Case No. 2018-00429,¹ Graves County Water District (“Graves District”) moves for an Order permitting the use of surcharge proceeds to pay legal fees incurred to comply with certain surcharge reporting requirements.

In support of its Motion, Graves District states:

1. By its Order of September 30, 2019, the Public Service Commission (“Commission”) authorized Graves District to collect a monthly surcharge of \$5.00 per customer for service rendered on and after October 1, 2019 and continuing for 72 months or until the total amount of the surcharge assessed equaled \$1,721,600, whichever occurred first, subject to certain conditions. These conditions included the submission of a yearly progress report containing a schedule of the estimated and actual progress of Graves District’s water loss detection and repair program and the estimated and actual expenditures using surcharge proceeds. This yearly report was to be used to evaluate the need for prospective adjustments to the water loss detection and repair program and the authorized surcharge.

2. While Graves District timely submitted the monthly reports required by the Order of September 30, 2019, it failed to timely submit the required yearly progress report. On November

¹ *Application of Graves County Water District for An Alternative Rate Adjustment*, Case No. 2018-00429 (Ky. PSC Sept. 30, 2019).

18, 2020, in an effort to comply with the Order of September 30, 2019, it submitted certain information by electronic mail to Commission Staff. This submission was made in good faith and without the assistance of legal counsel by persons who had limited experience dealing with the Commission. Commission Staff subsequently advised Graves District that the submission did not comply with the Order of September 30, 2019 and that the appropriate information should be submitted at the earliest possible date.

3. Graves District then retained legal counsel to obtain additional time to comply with the report and to prepare a comprehensive report regarding its water loss detection and repair program for submission to the Commission.

4. On December 8, 2020, counsel filed a motion for an extension of time to submit the required report. The Commission granted this motion on December 11, 2020.

5. In addition to his preparation and submission of a motion for additional time on Graves District's behalf, counsel spent 18 hours reviewing and analyzing the invoices and time and mileage records, interviewing Mayfield Electric and Water System personnel, and preparing the report. This report provided a comprehensive review of the water loss detection and repair program's expenditures, work efforts, budget and future plans. This report was timely filed with the Commission on January 4, 2021. After review of the report, the Commission on February 4, 2021 found that no changes should be made to the water loss detection and prevention surcharge or program elements and that Graves District should continue to collect the surcharge.

6. Graves District will continue to make use of the report. It intends to use the report as a template for subsequent annual progress reports and to prepare those reports without the further assistance of legal counsel.

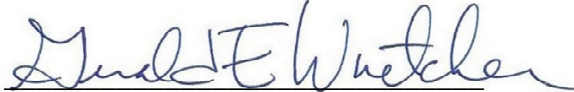
7. Invoices supporting the legal fees at issue are attached as Exhibits A and B. Total legal fees related to the motion for additional time and to the preparation of the report were \$6,300. Expenses unrelated to the preparation of the report or the securing of additional time to complete the report are not included in this request and have been redacted from the invoices.

8. As the Commission has impose reporting requirements upon Graves District to ensure proper and effective use of the surcharge proceeds, the costs incurred to meet those reporting requirements are a necessary administrative cost. Reimbursement of those administrative costs from surcharge proceeds is reasonable and appropriate.

WHEREFORE, Graves District requests that the Commission authorize the use of \$6,300 of water loss detection and repair surcharge proceeds for legal expenses related to the preparation of the first annual progress report on the water loss detection and repair program.

Dated: February 10, 2021

Respectfully submitted,



Gerald E. Wuetcher
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Stoll Keenon Ogden PLLC
300 West Vine St. Suite 2100
Lexington, Kentucky 40507-1801
Telephone: (859) 231-3000
Fax: (859) 259-3517

Counsel for Graves County Water District

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that Graves County Water District's electronic filing of this document is a true and accurate copy of the same document being filed in paper medium; that the electronic filing was transmitted to the Public Service Commission on February 10, 2021; that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding; and that within 30 days following the end of the state of emergency announced in Executive Order 2020-215 this Notice in paper medium will be delivered to the Public Service Commission.

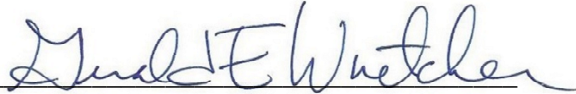

Gerald E. Wuetcher

EXHIBIT A

STOLL · KEENON · OGDEN
PLLC
300 West Vine Street
Suite 2100
Lexington, Kentucky 40507-1801
(859) 231-3000
Tax Id # 61-0421389
January 7, 2021

Graves County Water District
P.O. Box 329
Mayfield KY 42066

INVOICE NO.: 945459
SKO File No.: 123509/164279

PAYMENT REMITTANCE

Payments via regular mail:

STOLL · KEENON · OGDEN PLLC
P.O. Box 11969
Lexington, Kentucky 40579-1969

Payments via ACH or EFT:

Stoll Keenon Ogden PLLC IOLTA Account
Fifth Third Bank, Cincinnati OH
ABA/Bank Routing Number: [REDACTED]
Account Number: [REDACTED]
Please reference your account and invoice numbers.
Email remittance notice or questions to
payments@skofirm.com

Re: 2018 Rate Case Proceeding

Our Reference: 123509/164279/GEW/2404
Fees rendered this bill

\$ 3,465.00

Total Current Charges This Matter

\$ 3,465.00

STOLL · KEENON · OGDEN
PLLC
300 West Vine Street
Suite 2100
Lexington, Kentucky 40507-1801
(859) 231-3000
Tax Id # 61-0421389

January 7, 2021

Graves County Water District
P.O. Box 329
Mayfield KY 42066

INVOICE NO.: 945459
SKO File No.: 123509/164279

MATTER NAME: 2018 Rate Case Proceeding

TOTAL FEES FOR PROFESSIONAL SERVICES PER ATTACHED	3,850.00
<i>COURTESY REDUCTION</i>	<i>(385.00)</i>
TOTAL CHARGES FOR EXPENSES AND OTHER SERVICES PER ATTACHED	<u>0.00</u>
INVOICE TOTAL	<u>\$ 3,465.00</u>
TOTAL BALANCE DUE	<u><u>\$3,465.00</u></u>

BILL DATE: January 7, 2021

Graves County Water District
P.O. Box 329
Mayfield, KY 42066

2018 Rate Case Proceeding

LEGAL FEES

DATE	IND	DESCRIPTION OF SERVICE	HOURS	RATE	AMOUNT
12/03/20	GEW	Telephone call with K. Leonard re: filing of annual report ; telephone call to PSC Staff (T. Frederick) Re: Motion for Extension of Time	0.50	350.00	\$ 175.00
12/07/20	GEW	Prepare motion for extension of time	1.50	350.00	525.00
12/08/20	GEW	Review monthly surcharge filings; prepare list of documents/information necessary for yearly report; file Motion for Extension of Time	2.00	350.00	700.00
12/29/20	GEW	Preparation of surcharge report; review of documents related to surcharge expenditures; telephone call with K. McAdoo.	3.00	350.00	1,050.00
12/30/20	GEW	Review documents; prepare report on progress of water loss detection and repair program	1.00	350.00	350.00
12/31/20	GEW	Review documents; prepare report on progress of water loss detection and repair program	3.00	350.00	1,050.00
SUBTOTAL			11.00		\$3,850.00

EXPENSES AND OTHER SERVICES

***note: all copies are billed at .10/page unless otherwise indicated*

DATE	DESCRIPTION	AMOUNT
SUBTOTAL		0.00
GRAND TOTAL:		\$3,465.00

ATTORNEY/PARALEGAL SUMMARY

TIMEKEEPER	RANK	HOURS	RATE	AMOUNT
G. E Wuetcher	Of Counsel	11.00	350.00	\$3,850.00

*PLEASE INDICATE INVOICE NUMBER 945459 ON PAYMENT

EXHIBIT B

STOLL · KEENON · OGDEN
PLLC
300 West Vine Street
Suite 2100
Lexington, Kentucky 40507-1801
(859) 231-3000
Tax Id # 61-0421389
February 10, 2021

Graves County Water District
P.O. Box 329
Mayfield KY 42066

INVOICE NO.: 947931
SKO File No.: 123509/164279

PAYMENT REMITTANCE

Payments via regular mail:

STOLL · KEENON · OGDEN PLLC
P.O. Box 11969
Lexington, Kentucky 40579-1969

Payments via ACH or EFT:

Stoll Keenon Ogden PLLC IOLTA Account
Fifth Third Bank, Cincinnati OH
ABA/Bank Routing Number: [REDACTED]
Account Number: [REDACTED]
Please reference your account and invoice numbers.
Email remittance notice or questions to
payments@skofirm.com

Re: 2018 Rate Case Proceeding

Our Reference: 123509/164279/GEW/2404
Fees rendered this bill

\$2,835.00
~~\$ 3,780.00~~

Total Current Charges This Matter

\$2,835.00
~~\$ 3,780.00~~

Balance as of 01/15/21

\$3,465.00

Less credits (payments, adjustments)
Balance due on prior billings

\$0.00
\$3,465.00

Total Amount Due This Matter

\$6,300.00
~~\$7,245.00~~

STOLL · KEENON · OGDEN
 PLLC
 300 West Vine Street
 Suite 2100
 Lexington, Kentucky 40507-1801
 (859) 231-3000
 Tax Id # 61-0421389

February 10, 2021

Graves County Water District
 P.O. Box 329
 Mayfield KY 42066

INVOICE NO.: 947931
 SKO File No.: 123509/164279

MATTER NAME: 2018 Rate Case Proceeding

TOTAL FEES FOR PROFESSIONAL SERVICES PER ATTACHED	3,150.00 4,200.00
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COURTESY REDUCTION	315.00 (420.00)
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TOTAL CHARGES FOR EXPENSES AND OTHER SERVICES PER ATTACHED	0.00
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INVOICE TOTAL	<u>2,835.00</u> 3,780.00
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BALANCE DUE from previous statements:

Bill Date	Invoice	Outstanding Amount
01/15/21	945459	3,465.00

Total Balance Due on Previous Statements:	\$ 3,465.00
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TOTAL BALANCE DUE	<u>7,245.00</u> 6,300.00
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BILL DATE: February 10, 2021

Graves County Water District
P.O. Box 329
Mayfield, KY 42066

2018 Rate Case Proceeding

LEGAL FEES

DATE	IND	DESCRIPTION OF SERVICE	HOURS	RATE	AMOUNT
01/03/21	GEW	Review invoices & monthly reports	2.00	350.00	\$ 700.00
01/04/21	GEW	Prepare progress report; telephone calls with K. McAdoo & K. Leonard; [REDACTED]			
		[REDACTED]	7.00		2,450.00
		[REDACTED]	8.00	350.00	2,800.00
01/08/21	GEW	[REDACTED]			
		[REDACTED]			
		[REDACTED]			
		[REDACTED]			
			<u>9.00</u>		<u>\$3,150</u>
		SUBTOTAL	12.00		\$4,200.00

EXPENSES AND OTHER SERVICES

***note: all copies are billed at .10/page unless otherwise indicated*

DATE	DESCRIPTION	AMOUNT
	SUBTOTAL	<u>0.00</u>
		<u>\$2,835.00</u>
	GRAND TOTAL:	<u><u>\$3,780.00</u></u>

ATTORNEY/PARALEGAL SUMMARY

TIMEKEEPER	RANK	HOURS	RATE	AMOUNT
G. E Wuetcher	Of Counsel	12.00	350.00	\$4,200.00