

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC MARTIN COUNTY WATER )  
DISTRICT MANAGEMENT AND OPERATION )  
MONITORING PURSUANT TO KRS 278.250 )

CASE NO. 2020-00154

**MOTION TO MODIFY THE PUBLIC SERVICE COMMISSION'S  
ORDERS RELATIVE TO EVANS HARDWARE PURCHASE REPORTING**

\*\*\*\*\*

Comes the Martin County Water District, by counsel, and moves the Public Service Commission for an Order, modifying its' Orders of July 22, 2020 and July 20, 2023, relative to reports of purchases from Evans Hardware.

As grounds therefore, the Commission entered an Order on July 20, 2020, ordering that the Martin County Water District file a monthly report no later than the 15<sup>th</sup> of every month listing all purchases made from Evans Hardware the previous month with a narrative justification for the purchase, and explanation why it could not be obtained from another source or why the supply was not kept in inventory.

That the District moved the Commission for an Order on September 15, 2020, arguing that the District was operated by a contractor, Alliance Water Resources, Inc., and therefore, the District made no purchases for business services other than those services outside the scope of the Alliance contract. For example, insurance services, attorney services, and auditing services. That the Commission overruled that motion, and modified its' Order to require not only the District, but Alliance Water Resources, to make such reports.

On July 20, 2023, the Commission, on its' motion, directed that the reports for Evans Hardware purchases be filed on a quarterly basis beginning October 16, 2023, and continuing each quarter.

That since the original Order, and the subsequent Order, the District and Alliance have complied with the Order of the Commission and filed those reports.

A review of those reports since July 22, 2020, evidence that the purchases from Evans Hardware have been minimal. The District has not made any purchases.


Alliance has made purchases necessary by exigent circumstances and need. Those purchases average \$49.95 monthly for 2020; \$71.68 monthly for 2021; \$166.32 monthly for 2022; \$250.26 monthly for 2023; and \$110.64 monthly for 2024.

There are two hardware stores in Martin County. Evans Hardware is the only hardware store in Inez. R&J Building Supply is located in Lovely, Kentucky, approximately 11 miles away, and an approximate 20 minute drive, in each direction (Exhibit A).

When Alliance is performing field operations in the Warfield area, it is not unusual for occasional hardware items to be purchased from R&J Building Supply given its location.

The District argues that the reporting burden to the District, including the attorney fees incurred, outweighs the possible benefit to the rate payers in this matter. Minimal monthly purchases are required from Evans Hardware. Those circumstances are very unlikely to change in the foreseeable future. Therefore, the District moves the Commission to modify its' Order, eliminating the quarterly reporting requirement of purchases made by the District or Alliance from Evans Hardware.

Wherefore, the District requests the appropriate Orders of the Commission relative to this matter.

  
BRIAN CUMBO  
COUNSEL FOR MARTIN COUNTY  
WATER DISTRICT  
P.O. BOX 1844  
INEZ, KY 41224  
TELEPHONE: (606) 298-0428  
TELECOPIER: (606) 298-0316  
EMAIL: cumbolaw@cumbolaw.com

**CERTIFICATE OF SERVICE**

This will certify that a true and correct copy of the foregoing was served via electronic filing on this the 11 day of December, 2024, to the following:

Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

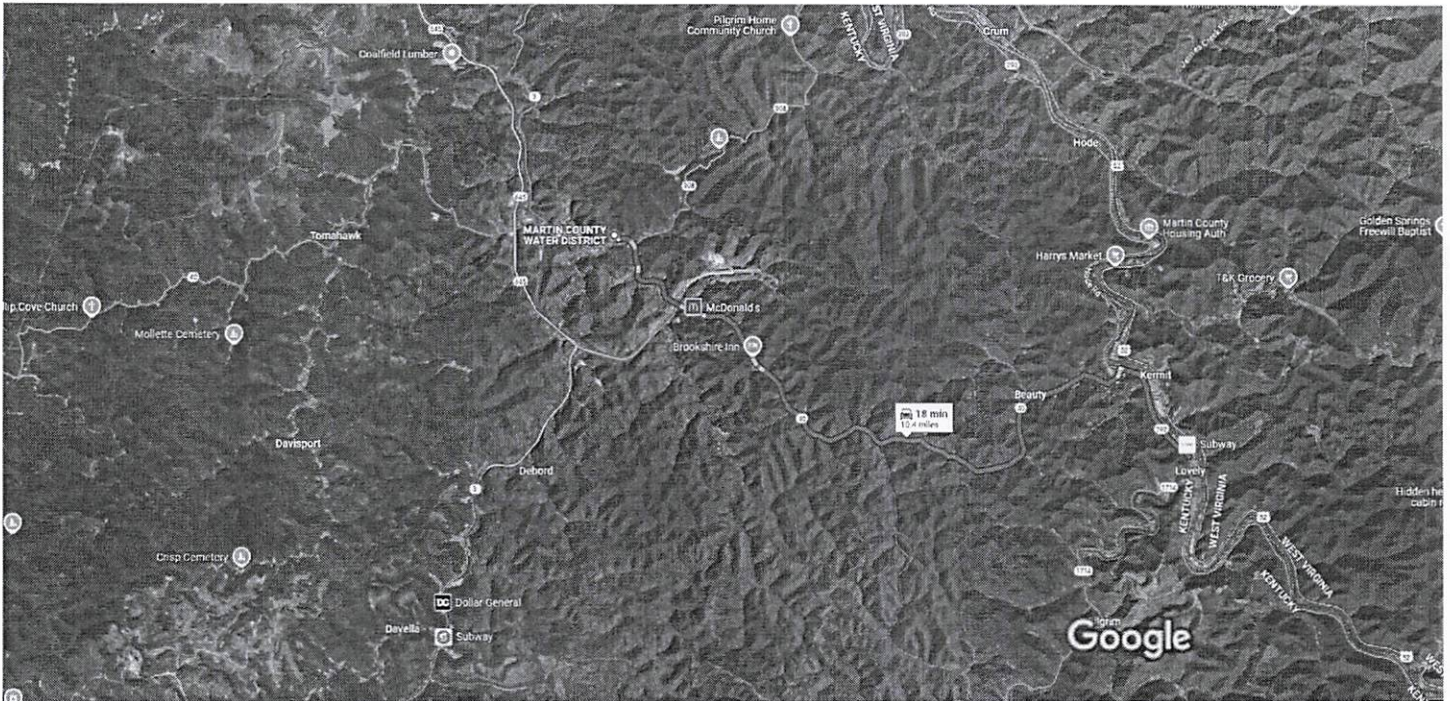
Hon. Mary Varson Cromer  
Appalachian Citizens' Law Center, Inc.  
317 Main Street  
Whitesburg, KY 41858

  
BRIAN CUMBO

Google Maps

MARTIN COUNTY WATER DISTRICT to R&J Building Supply

Drive 10.4 miles, 18 min



Imagery ©2024 Airbus, CNES / Airbus, Landsat / Copernicus, Maxar Technologies, Map data ©2024 Google 1 mi



via KY-40 E

18 min

Fastest route, the usual traffic

10.4 miles

Explore nearby R&J Building Supply



Restaurants



Hotels



Gas stations



Parking Lots



More

