



WES ADDINGTON
DIRECTOR
wes@aclc.org

MARY CROMER
DEPUTY DIRECTOR
mary@aclc.org
Also admitted in VA

MICHEAL AMBURGEY
STAFF ATTORNEY
mike@aclc.org
Admitted in VA & TN

TAYLOR MACY
STAFF ATTORNEY
tmacy@aclc.org
Admitted in OH

July 24, 2026

Kentucky Public Service Commission
211 Sower Blvd.
Frankfort, Kentucky 40601-8294

RE: 2020-00154 MCCC's Request for Agenda Item

Dear PSC Staff,

On behalf of Martin County Concerned Citizens (MCCC), we submit this request that each month's informal conference agenda in case number 2020-00156 include a discussion of the current status of Martin County Water District's raw water intake.

The raw water intake (RWI) deserves its own separate discussion as part of each month's conference for a number of reasons. First, because the raw water intake is not functional, the district's customers are paying as much as \$30,000 per month (or more) for a diesel pump to perform the function of the RWI. The district paid over \$21,000 in diesel costs in June 2026.¹ The pump rental costs the district's customers more than \$8,000 per month. Second, because the project's scope has changed so many times during the last six years, it is unclear what a finished RWI project will be. Critically, it is unclear whether the new RWI, when it is finally put in service, will have a mechanism for quickly moving it away from floodwaters as the river rises. The RWI pump sits right along the Tug Fork and the pump has been damaged by flooding in the past.

In 2018-19, over \$5.3 million in SRF and AML funding was provided to MCWD to fund replacement of the raw water intake, a system to bypass the reservoir and allow water from the RWI to be delivered directly to the plant when desirable, and repairs to the system's clarifiers.² At the time, the plan was to replace the district's existing raw water intake structure, which was buried in sediment in the river and was not functional. (To date, that intake has not been recovered from the river bottom.) The portal explains the need for the RWI project as follows:

The second intake structure will provide security when the river level is low and protection during flood events. The piping, pump, and control upgrades will provide more reliability than the current system alone.

¹ See June 30, 2026 Special Board Packet, at p. 25. Available at: https://psc.ky.gov/pscecf/2020-00154/dhaley%40ksattorneys.com/06302026020815/Notice_of_Filing_Board_Packet_06.30.26.pdf.

² See KIA WRIS portal, project WX21159009. Available at: <https://wris.ky.gov/portal/DwPrjData/WX21159009>.

The transmission main extension from the reservoir to the plant will give the District flexibility to bring water directly from the river to the WTP bypassing the reservoir. During certain times of the year, primarily in the fall, organics get very high in the reservoir impacting the final water quality....³

Since work began in 2021, the RWI project has been plagued by numerous problems, including bids coming in at more than the available money, numerous problems with the two pumps (including the small pump being flooded and sized too small and the large pump being inoperable due to damage during delivery), and electrical issues (including problems with the VFD and ASME and NEC code violations).⁴ Over the years, the project's scope has been narrowed numerous times due to budgetary issues. The project was also the subject of the lawsuit the district filed against Big Sandy Area Development District. That lawsuit was recently withdrawn by the district.

At this point, the project remains incomplete and the RWI is non-functional. Because there is no functional intake, Martin County Water District's customers are paying as much as \$30,000 per month for a temporary solution. That temporary solution, using diesel pumps to withdraw water from the river and pump it into the system, has been in place since July 2023.

Currently we understand that the district may have funding from the Army Corps of Engineers and a promise from Big Sandy Area Development to provide additional funding necessary to make the raw water intake functional. It is unclear what it means to make the RWI functional and what additional work would be needed to ensure that the RWI is able to function without additional costs to MCWD's customers.

We believe that the monthly conference is a good opportunity for MCCC and the community we represent, as well as the PSC, to better understand the progress and outstanding issues with the RWI project. Please consider adding this to the monthly agenda so that we can all keep track of what is happening with this crucial project.

Thank you for your consideration.

Respectfully Submitted,



Mary Varson Cromer

³ *Id.*

⁴ See Lisa Stayton, *Budget, management contract...*, MTN CITIZEN, Aug. 9, 2023, available at: <https://mountaincitizen.com/2023/08/09/mccoy-brings-water-district-construction-issues-to-light-in-martin-county-leaky-clarifier-failed-pumps-low-reservoir-no-storage-tank-cleaning/>.