

**COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION**

In the matter of:)	
)	
Electronic Martin County Water District)	
Management and Operation Monitoring)	Case No. 2020-00154
Pursuant to KRS 278.250)	

**MARTIN COUNTY CONCERNED CITIZENS RESPONSE IN
OPPOSITION TO MOTION TO CLOSE CASE**

For the reasons set forth below, Martin County Concerned Citizens (“MCCC”) by and through counsel respectfully submits this timely response in opposition to the Martin County Water District’s Motion to Close Case and End Monitoring Requirements in this matter.

On this day, MCCC’s Chairperson Nina McCoy filed a public comment letter in response to the district’s motion. MCCC supports Ms. McCoy’s statements in that letter. As Ms. McCoy notes, soon after the board voted to move to lift the order, Martin County’s Judge Executive Lon Lafferty called on the PSC to rescind the order requiring outside management.¹ Ms. McCoy also notes in her letter that during a later email discussion among board members, Martin County Utility Board’s Chair, Tim Thoma, stated that there was agreement with Alliance that the district could operate the system more cheaply, and there was discussion of developing a transition plan to return operations of the water system to the county. What appears clear from those developments is that the request to close this matter is done in furtherance of a plan to terminate the contract with Alliance.

As both the district and Ms. McCoy note in their filings, there have been significant gains since Alliance took over the district nearly six years ago. But the system’s condition is still perilous. Water loss is still regularly above 50% and the system still does not have a functional

¹ R. Smith, *Brown Water: Judge calls on PSC to rescind order requiring outside management of Martin County Water District*, The Mountain Citizen, Jul. 9, 2025, available at: <https://mountaincitizen.com/2025/07/09/brown-water-judge-calls-on-psc-to-rescind-order-requiring-outside-management-of-martin-county-water-district/>.

raw water intake and is still relying on a costly back up diesel pump. While the district should celebrate the improvements that have been made since Alliance took over in 2020, it is not yet time to turn the system back over for the county to run.

For the foregoing reasons, MCCC respectfully asks that this matter be kept open to allow the PSC to continue monitoring the financial and operational condition of the district. That monitoring should continue to include the requirement that Alliance and the district must file a notice of any breach of the contract within 10 days. Further, MCCC respectfully asks the Commission to Order the district, at any point when termination of the contract with Alliance is planned, to file for the Commission's approval a termination plan developed by the district and Alliance that includes the operational and financial plan for transition of each of the services that Alliance currently provides to the district.

Respectfully submitted,
/s/ Mary Varson Cromer

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Certificate of Service

A true and accurate copy of the foregoing Response was served via the PSC's electronic filing system on this the 9th day of December 2025 to the following:

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/s/ Mary Varson Cromer
Mary Varson Cromer