

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION INTO)
LATE PENALTY OF OHIO COUNTY) CASE NO. 2021-00017
WATER DISTRICT)

OFFER OF SETTLEMENT

Ohio County Water District (“Ohio District”) submits the following offer of settlement to resolve this matter.

Ohio District proposes that this matter be resolved in the following manner:

1. Should the Public Service Commission issue an Order accepting this Offer of Settlement, Ohio District will pay the sum of \$2,500 to the Commonwealth of Kentucky.
2. All current members of Ohio District’s Board of Commissioners and Ohio District’s General Manager will attend six (6) hours of certified water management training no later than December 31, 2022.
3. No later than December 31, 2021, Ohio District’s Board of Commissioners shall adopt and enforce a policy requiring annual reviews of Ohio District’s tariff by its General Manager and legal counsel to ensure the tariff complies with KRS 278.160 and all applicable provisions of KRS Chapter 278, Commission regulations and Commission Orders. This policy shall further require

Ohio District's General Manager and Ohio District's legal counsel to submit a written report to the Board of Commissioners containing the findings of their review.

4. Should Ohio District modify or rescind the required policy, it will notify the Public Service Commission in writing at least 30 days in advance of the proposed modification or rescission.

5. Ohio District will undertake no effort to collect any late payment fees for late payments occurring on or before January 1, 2022.

6. The Public Service Commission will not enter any Order in this proceeding in which it finds Ohio District willfully violated KRS 278.160 or any current or former member of Ohio District's Board of Commissioners, or any current or former Ohio District employee willfully aided and abetted a violation of KRS 278.160.

7. The Public Service Commission will not enter any Order requiring the refund of any late payment fees that Ohio District assessed prior to March 16, 2020 on the basis that the assessment of such fees violated KRS 278.160. This provision does not preclude the Public Service Commission from ordering the refund of late payment fees if the collection of such fees is related to unlawful conduct not involving the presence or absence of a reference to a late payment fee in Ohio District's filed tariff.

8. Should the Public Service Commission issue an Order accepting this Offer of Settlement, Ohio District will within 30 days of the issuance of an Order move for dismissal with prejudice of Franklin Circuit Court Action No. 2021-CI-00106.

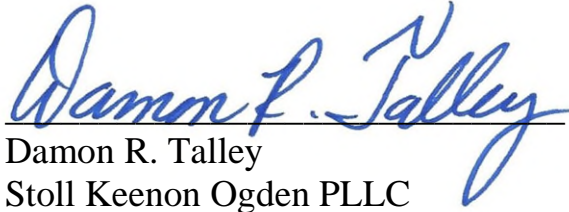
9. Should the Public Service Commission issue an Order accepting this Offer of Settlement, Ohio District waives its right to a hearing in this matter and will not petition the Public Service Commission for rehearing or bring an action for review of any order accepting this Offer of Settlement.

10. Should the Public Service Commission issue an Order accepting this Offer of Settlement and Ohio District fails to comply with the terms of this Offer of Settlement, Ohio District's failure shall be deemed a failure to comply with a lawful order of the Public Service Commission and Ohio District may be subject to penalties pursuant to KRS 278.990(1).

11. In making this Offer of Settlement, Ohio District does not admit or acknowledge that it willfully violated KRS 278.160 or any other provision of KRS Chapter 278, any Commission regulation or order or that any member of Ohio District's Board of Commissioners or Ohio District employee aided or abetted any willful violation of KRS 278.160 or any other provision of KRS Chapter 278, any Commission regulation or order.

Dated: October 28, 2021

Respectfully submitted,



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Counsel for Ohio County Water District

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, and the Public Service Commission's Order of October 28, 2021 in Case No. 2020-00085, I certify that this document was transmitted to the Public Service Commission on October 28, 2021 and that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding.



Counsel for Ohio County Water District