

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION INTO)	
LEDBETTER WATER DISTRICT, ITS)	
OFFICERS ARNIE PUCKETT, WILLIAM)	
GILLIHAN, JAMES SCHADE, TERRY)	CASE NO. 2021-00311
TEITLOFF, AND MICAH JOINER, AND ITS)	
MANAGER ALAN FOX, CHARGING)	
UNAUTHORIZED RATES PURSUANT TO)	
KRS 278.160(2) AND 807 KAR 5:068)	

NOTICE OF COMPLIANCE

Ledbetter Water District gives notice of its compliance with the Public Service Commission’s Orders of May 13, 2022 and October 12, 2022 in this matter. As evidence of its compliance, Ledbetter Water District states:

1. On September 7-8, 2022, Alan Fox, Arnie Puckett, James Schade, Terry Teitloff and Micah Joiner attended 12 hours of accredited water management training that Public Service Commission conducted at Kentucky Dam Village State Resort Park. A copy of a certificate of Attendance for each is attached to this Response as Exhibit A.¹

2. On June 21, 2022, Ledbetter Water District’s Board of Commissioners adopted a policy requiring annual reviews of its filed rate schedules to ensure the consistency of those schedules and Ledbetter Water District’s billing practices with existing with Kentucky’s laws and regulations and Public Service Commission decisions. A copy of the resolution adopting this policy is attached to this Response as Exhibit B. This policy requires Ledbetter Water District’s general manager and its legal counsel to conduct a review and report the results of that review by

¹ In its Order of October 12, 2022, the Public Service Commission vacated the portion of its Order of May 13, 2022 requiring William Gillihan to attend 12 hours of water management training.

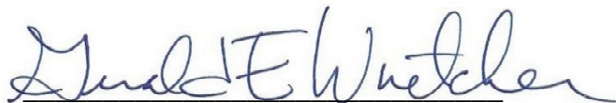
January 1 and the Board of Commissioners to review that report no later than March 31. Notice of completion of the first annual review will be filed with the Public Service Commission no later than March 31, 2023.

3. Ledbetter Water District has completed the refund of amounts collected between May 23, 2020, and May 4, 2021 that were in excess of the District's authorized rates. Beginning in June 2022 and for the following three months, Ledbetter Water District credited each customer bill \$1.11 as directed by the Public Service Commission in its Order of May 13, 2022. In compliance with the Public Service Commission's Order of October 12, 2022, the remaining amount was refunded to its existing 1,270 customers as a one-time credit of \$2.22. A complete report of the refund is attached as Exhibit C. Based upon this report, it appears that the District has refunded \$483.70 more than required. The District does not propose to take any action to collect this excess amount. The customer confusion and cost resulting from any effort to recover the excess amount would likely exceed the amount of the excess refund.

4. A revised tariff sheet has been filed with the Public Service Commission this day reflecting completion of the refund and removing references to the refund from Ledbetter Water District's filed rate schedules.

Dated: October 31, 2022

Respectfully submitted,

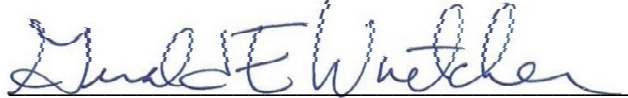


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Counsel for Ledbetter Water

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, and the Public Service Commission's Order of July 22, 2021 in Case No. 2020-00085, I certify that this document was transmitted to the Public Service Commission on October 31, 2022 and that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding.

A handwritten signature in blue ink, appearing to read "M. F. Wetcher", written over a horizontal line.

Counsel to Ledbetter Water District

EXHIBIT A

*This Certificate of Attendance
is Being Presented to*

Alan Fox

Upon Completion of

12 Hours

of Water Training Instruction at the

*Kentucky Public Service Commission
2022 Water Training Seminar*

September 7-8, 2022

Kentucky Public Service Commission

Signed this 14th day of September, 2022



Kent Chandler, Chairman

Kentucky Public Service Commission

*This Certificate of Attendance
is Being Presented to
Arnie Puckett
Upon Completion of*

12 Hours

*of Water Training Instruction at the
Kentucky Public Service Commission
2022 Water Training Seminar*

September 7-8, 2022

Kentucky Public Service Commission

Signed this 14th day of September, 2022



Kent Chandler, Chairman

Kentucky Public Service Commission

*This Certificate of Attendance
is Being Presented to
James Schade
Upon Completion of*

12 Hours

*of Water Training Instruction at the
Kentucky Public Service Commission
2022 Water Training Seminar*

September 7-8, 2022

Kentucky Public Service Commission

Signed this 14th day of September, 2022



Kent Chandler, Chairman

Kentucky Public Service Commission

*This Certificate of Attendance
is Being Presented to
Micah Joiner
Upon Completion of*

12 Hours

*of Water Training Instruction at the
Kentucky Public Service Commission
2022 Water Training Seminar*

September 7-8, 2022

Kentucky Public Service Commission

Signed this 14th day of September, 2022



Kent Chandler, Chairman

Kentucky Public Service Commission

*This Certificate of Attendance
is Being Presented to
Terry Teitloff
Upon Completion of*

12 Hours

*of Water Training Instruction at the
Kentucky Public Service Commission
2022 Water Training Seminar*

September 7-8, 2022

Kentucky Public Service Commission

Signed this 14th day of September, 2022



Kent Chandler, Chairman

Kentucky Public Service Commission

EXHIBIT B

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
LEDBETTER WATER DISTRICT TO ESTABLISH A POLICY
REGARDING ANNUAL REVIEW OF FILED RATE SCHEDULES**

WHEREAS, Ledbetter Water District is a water district organized pursuant to KRS Chapter 74;

WHEREAS, pursuant to KRS 278.015, a water district is a utility and subject to the jurisdiction of the Public Service Commission in the same manner and to the same extent as any other utility as defined in KRS 278.010;

WHEREAS, KRS 278.160 requires a utility to file with the Public Service Commission schedules showing “all rates and conditions for service established by it and collected or enforced” and prohibits a utility from charging, demanding, collecting, or receiving from any person “a greater or less compensation for any service rendered or to be rendered than that prescribed in its filed schedules” or from imposing conditions of service that are not set forth in its filed rate schedules;

WHEREAS; Ledbetter Water District recognizes the importance of ensuring its filed rate schedules reflect its current practices, current laws and regulations, and Public Service Commission decisions; and

WHEREAS, Ledbetter Water District finds that a policy requiring the annual review of its filed rate schedules to ensure those schedules consistency and compliance with existing laws and regulations and Public Service Commission decisions;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF LEDBETTER WATER DISTRICT AS FOLLOWS:

Section 1. The facts, recitals, and statements contained in the foregoing preamble of this Resolution are true and correct and are hereby affirmed and incorporated as a part of this Resolution.

Section 2. The policy regarding the annual review of Ledbetter Water District’s filed rate schedule, which is attached to this resolution as Exhibit A, is established and effective as of this date.

ADOPTED BY THE BOARD OF COMMISSIONERS OF LEDBETTER WATER DISTRICT at a meeting held on June 21, 2022, signed by the Chairman, and attested by the Secretary.


Chairman

ATTEST:

James R. Schade
Secretary

EXHIBIT A

POLICY REGARDING ANNUAL REVIEW OF LEDBETTER WATER DISTRICT'S FILED RATE SCHEDULED

A utility's rate schedules are a critical element of utility operations. They set forth the rates that a utility assesses and the conditions under which it will provide service and those under which it may deny or terminate service. KRS 278.160(1) requires that a utility file with the Public Service Commission schedules showing "all rates and conditions for service established by it and collected or enforced." KRS 278.160(2) prohibits a utility from charging, demanding, collecting, or receiving from any person "a greater or less compensation for any service rendered or to be rendered than that prescribed in its filed schedules." That statute further prohibits a utility from imposing conditions of service that are not set forth in its filed rate schedules and requires a utility to enforce the rules and conditions of service that are set forth in those schedules

Ledbetter Water District ("Ledbetter District" or "the District") recognizes the importance of ensuring its filed rate schedules reflect its current practices, current laws and regulations, and Public Service Commission decisions. For that reason, it is Ledbetter District's policy that its filed rate schedules be reviewed annually to ensure their consistency and compliance with existing laws and regulations and Public Service Commission decision. This annual review should also examine the reasonableness and need for each rate schedule provision and determine if the provision remains useful or should be revised to be improve Ledbetter District's operations or enhance the District's relations with its customers.

Each year Ledbetter District's General Manager will review the District's tariff to ensure compliance with Kentucky's laws and regulations and Public Service Commission decisions. He or she shall determine if revisions are necessary to conform to such laws, regulations, and decisions or to improve the District's operations or service. As part of his or her review, the General Manager shall consult with the District's legal counsel. No late than January 1 of each year, he or she shall provide a written report to the Board of Commissioner regarding his review. Such report shall list all necessary revisions and the reasons for such revisions. It shall contain a written statement from legal counsel confirming counsel's review of the report and his or her recommendations regarding the proposed revisions. The Board of Commissioner's shall review the existing tariff and the General Manager's report and take such action necessary to approve or deny the revisions no later than March 31 of each year.

CERTIFICATION

I, the undersigned, hereby certify that I am the duly qualified and acting Secretary of the Ledbetter Water District; that the foregoing is a full, true and correct copy of a Resolution adopted by the Board of Commissioners of the Ledbetter Water District at a meeting duly held on June 21, 2022; that said official action appears as a matter of public record in Ledbetter Water District's official records or journal; that said meeting was held in accordance with all applicable requirements of Kentucky law, including KRS 61.810, 61.815, 61.820 and 61.823; that a quorum was present at said meeting; that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.

WITNESS my hand this 21th day of June 2022.


Secretary

EXHIBIT C

REFUND OF EXCESS CHARGES

Bill Issue Date	Number of Bills	Credit Amount	Total Refunded In Monthly Billing	Cumulative Amount Credited
06/30/2022	1,266	\$1.11	\$1,405.26	\$1,405.26
0731/2022	1,265	\$1.11	\$1,404.15	\$2,809.41
08/31/2022	1,266	\$1.11	\$1,405.26	\$4,214.67
9/30/2022	1,266	\$1.11	\$1,405.66	\$5,620.33
10/31/2022	1,273	\$2.22	\$2,826.06	\$8,446.39
Total	6,336		\$8,446.39	