

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN ELECTRONIC INVESTIGATION INTO)
MILBURN WATER DISTRICT TO)
DETERMINE THE FEASIBILITY OF)
MERGER WITH A PROXIMATE UTILITY) CASE NO. 2021-00341
PURSUANT TO KRS 74.361 OR)
ABANDONMENT PURSUANT TO KRS)
278.020(6), KRS 278.021)

**RESPONSE OF GRAVES COUNTY WATER DISTRICT
TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION**

Graves County Water District submits its Response to the Commission Staff's First Request for Information.

Dated: October 6, 2023

Respectfully submitted,



Gerald E. Wuetcher
Stoll Keenon Ogden PLLC
300 West Vine Street, Suite 2100
Lexington, Kentucky 40507-1801
Telephone: (859) 231-3017
Fax: (859) 259-3517
gerald.wuetcher@skofirm.com

Holly M. Homra
Glenn D. Denton
Denton Law Firm, PLLC
P.O. Box 969
Paducah, Kentucky 42002-0929
Telephone: (270) 443-8253
Fax: (270) 442-6000
hhomra@dentonfirm.com
gdenton@dentonfirm.com

Counsel for Graves County Water District

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that this document was submitted electronically to the Public Service Commission on October 6, 2023 and that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding.


Counsel for Graves County Water District

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN ELECTRONIC INVESTIGATION INTO)	
MILBURN WATER DISTRICT TO)	
DETERMINE THE FEASIBILITY OF)	
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PURSUANT TO KRS 74.361 OR)	
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278.020(6), KRS 278.021)	

RESPONSE OF GRAVES COUNTY WATER DISTRICT
TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION

FILED: October 6, 2023

VERIFICATION

COMMONWEALTH OF KENTUCKY)
) **SS:**
COUNTY OF GRAVES)

The undersigned, Brent Shultz, being duly sworn, deposes and states that he is the Water and Sewer Operation Manager of Mayfield Electric and Water Systems, and that he has personal knowledge of the matters set forth in the responses for which he is identified as the witness, and the answers contained therein are true and correct to the best of his information, knowledge and belief.


_____ **Brent Shultz**

Subscribed and sworn to before me, a Notary Public in and before said County and State,
this 10th day of October 2023.


_____ **(SEAL)**
Notary Public

My Commission Expires: 4/19/24

Notary ID: 1KY NP 3345

GRAVES COUNTY WATER DISTRICT

Response to Commission Staff's First Request for Information Case No. 2021-00341

Question No. 1

Responding Witness: Brent Shultz

- Q-1. Refer to the email dated January 20, 2023 (January 20 email) from Brent Shultz to Commission Staff, attached as Appendix A to this request, regarding an estimate for projects deemed necessary by Graves District to get the Milburn District system to a more manageable status, including the installation of AMI (requiring a propagation study); SCADA/communications; mapping and meter tech identification of District Metered Area (DMA) sites; and tank rehab and painting for an estimated total of \$585,000.**
- a. Confirm whether the estimate provided by Graves District in the January 20 email is still valid. If not, provide a current estimate for these proposed projects.**
 - b. Confirm whether any further projects are currently deemed necessary by Graves District for the Milburn District system to achieve a manageable status. If any additional projects are deemed necessary, provide an estimate for the cost of the additional projects.**
- A-1.**
- a. The provided estimate is consistent with costs that Graves County Water District ("Graves District") and Mayfield Electric and Water Systems ("MEWS") has experienced in similar projects. These costs are not static. Actual costs are subject to price increases and after further due diligence and consideration regarding feasibility, the estimate may need to be significantly higher.
 - b. Graves District anticipates that a complete inventory of Milburn District's water service lines, including the material type of the privately owned portion and the utility-owned portion, would have to be performed by October 2024 to comply with the U.S. Environmental Protection Agency's Lead and Copper Rule Revisions. The GIS mapping of Milburn District's facilities would also need to be performed. The current estimated cost for these actions is approximately \$50,000 but is subject to pricing increases.

GRAVES COUNTY WATER DISTRICT

**Response to Commission Staff's First Request for Information
Case No. 2021-00341**

Question No. 2

Responding Witness: Brent Shultz

- Q-2. Confirm whether Graves County is still under any emergency orders and provide the dates that Graves County has been under an emergency order since this proceeding was initiated.**
- A-2. Graves County is currently under two emergency orders. The first order, which pertains to the tornadoes that struck western Kentucky on December 10, 2021, has been in effect since December 11, 2021 and is not scheduled to end until January 15, 2024. The second order, which pertains to flooding that occurred in mid-July 2023, has been in effect since July 19, 2023 and continues in effect until January 15, 2024. A copy of Executive Orders 23-408 and 23-493 are attached.



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2023-408
July 14, 2023

STATE OF EMERGENCY

Beginning on December 10, 2021, and continuing to December 11, 2021, a powerful severe weather system generating heavy rain, thunderstorms, tornadoes, and strong straight-line winds impacted the Commonwealth of Kentucky, causing flash flooding, loss of power, damage to public infrastructure and private properties; and

These conditions endanger public health and safety and/or public and private property; and

The severe weather system brought the worst tornadoes in Kentucky history, taking the lives of 80 Kentuckians. Thousands of our citizens were left without their homes, their belongings, their businesses, their jobs, and so much more. The tornadoes caused hundreds of millions of dollars in property and infrastructure damage, leaving rubble and debris that must be removed so rebuilding can begin; and

State and local governments share responsibility for protection of public health, safety, and security as well as for the protection of public and private property and for taking appropriate actions to ensure the provision of essential public services; and

On December 11, 2022, I signed Executive Order 2021-923, declaring a state of emergency in the Commonwealth of Kentucky under the Kentucky Constitution and KRS Chapter 39A. On the same day, President Joseph R. Biden declared an emergency for Kentucky, then declared a disaster area on December 12, 2022; and

During the 2022 Regular Session, the Kentucky General Assembly enacted House Joint Resolution 29, extending Executive Order 2021-923, Executive Order 2021-925, Executive Order 2021-926, Executive Order 2021-936, Executive Order 2021-939, Executive Order 2021-967, Executive Order 2021-969, and 800 KAR 1:020E to April 14, 2022; and

Despite the ongoing recovery and rebuilding efforts in western Kentucky communities, the General Assembly declined to extend these emergency actions past April 14, 2022, during its 2022 Regular Session; and

On April 14, 2022, at the request of 52 County Judge/Executives and two Mayors of consolidated local governments, that the state of emergency and certain emergency actions under it be extended until January 15, 2023, I declared by Executive Order 2022-205 that a state of emergency continued to exist in the Commonwealth of Kentucky, and extended the following through January 15, 2023: Executive Order 2021-923, Executive Order 2021-925, Executive Order 2021-926, Executive Order 2021-936, Executive Order 2021-939, Executive Order 2021-967, Executive Order 2021-969, and 800 KAR 1:020E.

On January 13, 2023, at the request of 10 County Judge/Executives that the state of emergency and certain emergency actions under it be extended until July 15, 2023, I declared by Executive Order 2023-030 that a state of emergency continued to exist in the



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2023-408
July 14, 2023

Commonwealth of Kentucky, and extended the following through July 15, 2023: Executive Order 2021-923, Executive Order 2021-925 and 800 KAR 1:020E.

Under KRS 39A.090(2)(b), the state of emergency declared under Executive Order 2021-923 and subsequent executive orders and the emergency administrative regulation set forth above may exceed 30 days if requested by a chief executive officer or a legislative body of a local government only for that local government and only for the period of time requested by the chief executive officer or legislative body; and

Nine County Judge/Executives have written letters requesting that I extend the state of emergency and certain emergency actions under it, as extended by Executive Order 2023-030, through January 15, 2023. These letters are attached to this executive order and are adopted and incorporated by reference herein; and

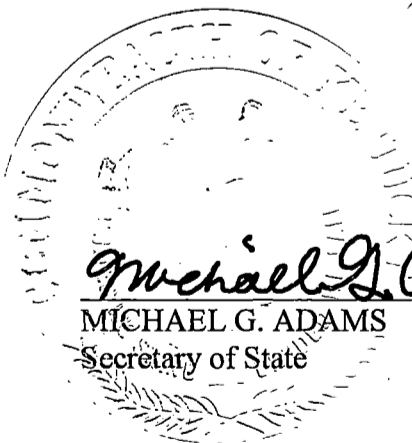
NOW, THEREFORE, I, Andy Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Constitution of Kentucky and by KRS Chapter 39A, do hereby declare that a State of Emergency continues to exist in the Commonwealth of Kentucky and do hereby ORDER and DIRECT that Executive Order 2021-923, Executive Order 2021-925 and 800 KAR 1:020E, as extended through Executive Order 2023-030, be extended through January 15, 2024 in the following local jurisdictions:

Breckinridge County
Caldwell County
Christian County

Graves County
Hart County
Hickman County

Hopkins County
Logan County
Todd County

This order is effective July 15, 2023.



Michael G. Adams
MICHAEL G. ADAMS
Secretary of State

Andy Beshear
ANDY BESHEAR, Governor
Commonwealth of Kentucky



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2023-493
August 18, 2023

STATE OF EMERGENCY

Beginning July 17, 2023, and continuing, a severe weather system generating multiple rounds of heavy torrential rain, hail, intense damaging winds, and potentially tornadoes, caused flooding, flash flooding, mudslides, and landslides in the Commonwealth of Kentucky, creating dangerous conditions and damage to public infrastructure, utility distribution systems, and private properties.

These conditions endanger public health and safety and public and private property.

State and local governments share responsibility for protection of public health, safety, and security as well as for the protection of public and private property and for taking appropriate actions to ensure the provision of essential public services.

On July 19, 2023, I signed Executive Order 2023-427, declaring a state of emergency in the Commonwealth of Kentucky under the Kentucky Constitution and KRS Chapter 39A. Subsequently, I signed related emergency orders implementing the laws to prohibit price gouging (Executive Orders 2023-428 and 2023-458).

Under KRS 39A.090(2)(b), the state of emergency declared under Executive Order 2023-427 may exceed 30 days if requested by a chief executive officer or a legislative body of a local government, only for that local government and only for the period of time requested by the chief executive officer or legislative body.

Twenty-one County Judge/Executives and one Mayor of consolidated local governments have written letters requesting that I extend the state of emergency through January 15, 2024. These letters are attached to this executive order and are adopted and incorporated by reference herein.

NOW, THEREFORE, I, Andy Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Constitution of Kentucky and by KRS Chapter 39A, do hereby declare that a State of Emergency continues to exist in the Commonwealth of Kentucky and do hereby **ORDER** and **DIRECT** that Executive Order 2023-427 be extended through January 15, 2024, in the following local jurisdictions:

Ballard County
Bath County
Boyle County
Breckinridge County
Calloway County
Carlisle County
Carter County
Franklin County
Grant County
Graves County
Hickman County

Jackson County
Lexington-Fayette Urban Cty. Govt.
Magoffin County
Menifee County
Muhlenberg County
Nelson County
Nicholas County
Perry County
Pike County
Trimble County
Warren County




ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER


Secretary of State
Frankfort
Kentucky

2023-493
August 18, 2023

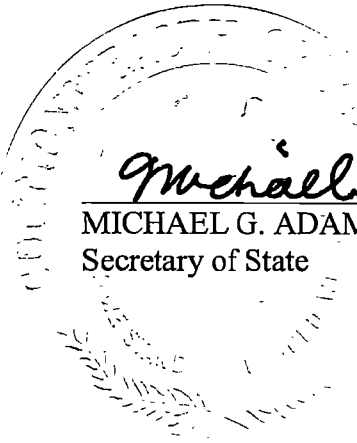
This order shall be effective August 19, 2023.



ANDY BESHEAR, Governor
Commonwealth of Kentucky



MICHAEL G. ADAMS
Secretary of State



Office of the County Judge - Executive
Scott Alexander



P.O. Box Drawer 210
Hazard, Kentucky 41702
(606) 436-4513
TDD: 1.800.648.6057

August 15, 2023

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Sincerely,

Scott Alexander
Perry County Judge Executive



Office of Pike County Judge/Executive

RAY S. JONES, II

PIKE COUNTY COURTHOUSE
146 MAIN STREET
PIKEVILLE, KENTUCKY 41501
OFFICE: (606) 432-6247
FAX: (606) 432-6242

August 17, 2023

The Honorable Andy Beshear
Governor of the Commonwealth of Kentucky
700 Capitol Avenue, Suite 100
Frankfort, Kentucky 40601

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Sincerely,

Ray S. Jones, II
Pike County Judge/Executive



Commonwealth of Kentucky
Trimble County Kentucky
Office of the Trimble County Judge Executive

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

DATE: 8/15/2023

John D. Ogburn Jr.

JOHN DAVID OGBURN JR.

**TRIMBLE COUNTY JUDGE
EXECUTIVE**



DOUGLAS J. GORMAN

TEL: (270) 843-4146

WARREN COUNTY JUDGE EXECUTIVE

FAX: (270) 781-2777

August 15, 2023

The Honorable Andy Beshear,
Governor of Kentucky
700 Capitol Avenue Suite 100
Frankfort, KY 40601

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on January 17, 2023.

Sincerely,

Doug Gorman
Warren County Judge Executive





BALLARD COUNTY FISCAL COURT

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Thank you for your anticipated timely cooperation with this request.

Respectfully,

A handwritten signature in black ink, appearing to read "Todd Cooper". The signature is written in a cursive style with a horizontal line underneath it.

Todd Cooper, Ballard County Judge/Executive

Bath County Judge / Executive

Forrest McKenzie

Bath County Courthouse

19 East Main Street
PO Box 39

Phone 606-674-6346
bathcountyje@outlook.com

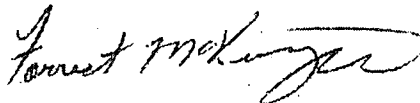
August 15, 2023

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Respectfully submitted,



Judge Forrest McKenzie



BOYLE COUNTY FISCAL COURT

321 West Main Street, Courthouse Room 111, Danville, KY 40422

Phone (859) 238-1100 Fax (859) 238-1108

email: trille.bottom@boyleky.com

Trille L. Bottom
County Judge/Executive

MAGISTRATES

First District
Tom V. Ellis

Second District
Paula Bodner

Third District
Barry Harmon

Fourth District
Jason M. Cullen

Fifth District
Jamey Gay

Sixth District
Steve Sleeper

August 15, 2023

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Respectfully submitted,

A handwritten signature in cursive script that reads "Trille L. Bottom".

Trille L. Bottom
Boyle County Judge Executive



OFFICE OF THE
BRECKINRIDGE COUNTY JUDGE-EXECUTIVE
COURTHOUSE, 208 SOUTH MAIN STREET
P.O. BOX 227
HARDINSBURG, KENTUCKY 40143

MAURICE LUCAS
COUNTY JUDGE-EXECUTIVE

TELEPHONE: (270) 756-2269
FAX: (270) 756-2364

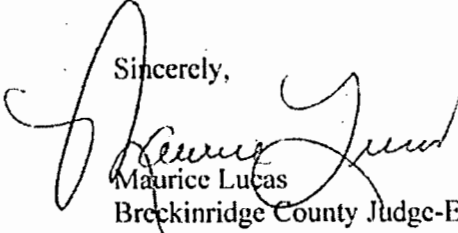
August 15, 2023

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Sincerely,


Maurice Lucas
Breckinridge County Judge-Executive

Kenneth C. Imes
Calloway County Judge/Executive



Calloway County Courthouse
201 South 4th Street
Murray, Kentucky 42071
(270) 753-2920 Fax 753-2911

August 17, 2023

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kenneth C. Imes".

Kenneth C. Imes, Judge/Executive



Carlisle County Fiscal Court

Greg Terry, County Judge Executive

985 US 62 • P.O. Box 279 • Bardwell, KY 42023

Phone: (270) 628-5451 • Fax: (270) 628-0190 • Cell: (270) 445-0051

Email: judge@ccfcky.com

August 15, 2023

The Honorable Andy Beshear
700 Capitol Avenue, Suite 100
Frankfort, Ky 40604

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Thank you for your time and attention on this matter.

A handwritten signature in black ink, appearing to read "Greg Terry", with a large, stylized flourish extending from the end of the signature.

Sincerely,

Greg Terry
Carlisle County Judge/Executive



CARTER COUNTY FISCAL COURT Office of the Judge

300 W. Main Street | Room 227 | Grayson, KY 41143 | 606-474-5366 Fax 606-474-6991 | cartercountyky@gmail.com

August 15, 2023

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to the entirety of the Commonwealth as it continues to recover from the severe weather even that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Sincerely,

Brandon Burton

Carter County Judge Executive



Franklin County Fiscal Court

321 West Main Street
Frankfort, KY 40601

Michael Mueller
Franklin County Judge/Executive

August 16, 2023

Governor Andy Beshear
700 Capitol Avenue
Frankfort, KY 40601

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Mueller". The signature is written in a cursive, flowing style.

Michael Mueller
Franklin County Judge/Executive



Office of the Grant County Judge Executive

CHUCK DILLS

cdills@grantco.org

101 North Main Street – Suite 3

Williamstown, Kentucky 41097

Office: 859-823-7561

Fax: 859-428-4567

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chuck Dills".

Chuck Dills
Grant County Judge Executive

COMMONWEALTH OF KENTUCKY

GRAVES COUNTY

MAYFIELD, KY 42066

JESSE PERRY, JUDGE/EXECUTIVE

270-247-3626

August 18, 2023

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Sincerely,


Jesse Perry

Graves County Judge Executive



Someplace Special
Hickman County

Kenny Wilson
County Judge Executive
HICKMAN COUNTY, KENTUCKY

116 S. Jefferson Street, Clinton, Ky. 42031
(270) 653-4369 Fax (270) 653-4360


August 15, 2023

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Sincerely,


Kenny Wilson, Judge Executive

KW/dm



JACKSON COUNTY FISCAL COURT
SHANE GABBARD JUDGE EXECUTIVE



August 15, 2023

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Shane Gabbard

A handwritten signature in black ink that reads "Shane Gabbard".

Jackson County Judge Executive

PH: 606-287-8562

FAX: 606-287-7190

jcjudge@prtcnet.org
JACKSON COUNTY COURTHOUSE
P.O. BOX 175 MCKEE, KY 40447



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Linda Gorton
Mayor

Aug. 15, 2023

The Hon. Gov. Andy Beshear
700 Capitol Avenue, Suite 100
Frankfort, Kentucky 40601

Dear Governor Beshear,

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Sincerely,

A handwritten signature in cursive script that reads "Linda Gorton".

Linda Gorton
Mayor

FOLLOW MAYOR GORTON:

www.facebook.com/MayorGorton www.twitter.com/MayorGorton



Magoffin County Judge/Executive
Matthew C. Wireman
P.O. Box 430
Salyersville, KY 41465
Phone 606-349-2313 Fax 606-349-2109

August 15, 2023

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew C. Wireman", is written over a faint, larger version of the same signature.

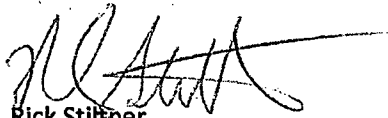
Matthew C. Wireman
Magoffin County Judge/Executive

Menifee County Fiscal Court
Rick Stiltner, Judge Executive
PO Box 105, 12 Main Street, Frenchburg, KY 40322
Stiltner_r@bellsouth.net; menifeecojudge@mrtc.com
Office-606-768-3482; Cell 859-227-3270

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.


Rick Stiltner
Menifee County Judge Executive



MUHLENBERG COUNTY FISCAL COURT

Muhlenberg County Fiscal Court
100 South Main Street
P.O. Box 137
Greenville KY 42345
Office 270-338-2520
Fax 270-338-6116
www.muhlenbergcounty.org

Mack McGehee
JUDGE EXECUTIVE
m.mcgehee@muhlenbergcountyky.org

Laura Montgomery
DEPUTY JUDGE EXECUTIVE
l.montgomery@muhlenbergcountyky.org

August 15, 2023

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Thank You,

Mack McGehee

Judge Executive

MAGISTRATES

Malcolm West
District 1

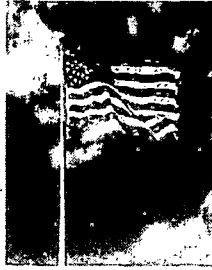
Darrin Benton
District 2

Jeff Vincent
District 3

Keith Phillips
District 4

Andrew Bullock
District 5

Nelson County – Kentucky
Tim Hutchins – County Judge Executive
PO Box 578 – One Court Square, 2nd Floor
Bardstown, KY 40004
502-348-1800
ncjudge@bardstown.com



Magistrate District #1: Keith Metcalfe
Magistrate District #2: Adam Wheatley
Magistrate District #3: MT Harned
Magistrate District #4: Jeff Lear
Magistrate District #5: Jon Snow

August 15, 2023

Governor Andy Beshear
700 Capitol Avenue
Suite 100
Frankfort, KY 40601

Dear Governor Beshear:

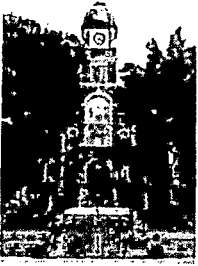
Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

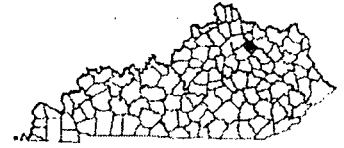
Sincerely,

Tim Hutchins
Nelson County Judge Executive

TH/cmb



Steve Hamilton
Judge Executive Office
Nicholas County
Carlisle, KY 40311
(859)289-3725



August 15, 2023

Dear Governor Beshear:

Pursuant to KRS 39A.090(2)(b), I request that you extend Executive Order 2023-427 and the state of emergency declared in that executive order through January 15, 2024.

The extension of this executive order is crucial to all of the Commonwealth as it continues to recover from the severe weather event that brought heavy torrential rain, damaging winds, and flash flooding that created dangerous conditions beginning on July 17, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Hamilton".

Steve Hamilton
Nicholas County Judge Executive

GRAVES COUNTY WATER DISTRICT

Response to Commission Staff's First Request for Information Case No. 2021-00341

Question No. 3

Responding Witness: Brent Shultz

Q-3. Refer to the letter dated July 6, 2022 (July 6 letter) from Graves District to the Commissioners, attached as Appendix B to this request, of Milburn Water District that states that Graves District did not wish to pursue a merger with Milburn District at that time. Also refer to KRS 74.361(1), Merger of water districts –Hearings – Orders.

- a. State whether Graves District's position has changed since the July 6 letter.**
- b. Provide an update of any new circumstances that would preclude a merger between Graves and Milburn Districts from being executed.**
- c. Provide a time range upon which Graves District will be willing to consider a merger with Milburn District, irrespective of whether funding has been secured.**

A-3. a. Graves County Water District's ("Graves District") position remains unchanged. It will not voluntarily assume the financial and operational burdens associated with the acquisition of Milburn Water District's system. Graves District is currently attempting to address the disruptions resulting from weather-related events occurring in December 2021 (tornadoes) and July 2023 (flooding). It is also continuing to address a significant water loss problem for which the Public Service Commission authorized a surcharge in 2019. Graves District lacks the financial reserves to make the necessary repairs and improvements to bring Milburn Water District's facilities into compliance with applicable regulatory standards and to ensure those facilities can provide adequate and reasonable water service. It is unfair to impose additional burdens upon Graves District's customers in the form of higher rates for service to improve a neighboring county's water system, especially when Carlisle County elected officials appear unwilling to devote any Carlisle County resources, including grant funds allocated to Carlisle County through the American Recovery Plan Act of 2021, to improving Milburn Water District's facilities.

Graves District will only consider acquiring Milburn Water District's facilities if sufficient funds are provided to Graves District for the necessary improvements that it has previously identified, and Graves District's current customers are not required to bear the cost of those necessary improvements.

Any involuntary merger of the two water districts will confer upon Milburn District customers and the Carlisle County Judge/Executive an unwarranted and disproportionate voice in the operation of the merged district's provision of water service to Graves County residents. In any involuntary merger, KRS 74.361(7) requires "the water commissioners of the merged water districts . . . [to] continue to serve as water commissioners of the resulting district, regardless of their normal term expiration, until one (1) year after approval of the merger by the Public Service Commission." As a result, a merged district's board of commissioners will have eight members, three of whom are residents of Carlisle County and who represent the interests of Milburn District's 125 customers and five of whom are residents of Graves County and who represent the interests of Graves District's 4,854 customers. In effect, the district that contains only 2.5 percent of the merged district's customers and only 0.3 percent of the merged district's assets will have 37.5 percent of the members of the merged district's board of commissioners. It is unclear whether this disproportionate representation will change after the merged district's first year of operation, as KRS 74.361 and KRS 74.363 do not address how appointment of the merged district's board of commissioners is allocated among the county judge/executives of Carlisle and Graves Counties. Given the relatively small number of Milburn District customers and small amount of Milburn Water District assets, **any representation** on the merged district's six-member board would be disproportionate and a significant and unwarranted dilution of the rights of Graves County customers.

- b. Before ordering the involuntary merger of two water districts, KRS 74.361 requires the Public Service Commission to determine that a merger of two or more water districts is feasible and advisable. The Public Service Commission has yet to produce and provide to Graves District a written feasibility report and study regarding any proposed merger of Graves County Water District and Milburn Water District. A discussion of circumstances "precluding" any merger is premature until a showing has been made that such merger is feasible and advisable.
- c. Graves District is not willing to consider a voluntary merger with Milburn Water District unless and until adequate funding for the necessary improvements and increased personnel and overhead costs to Milburn Water District's facilities has been obtained and such funding will eliminate any need for Graves County Water District's customers to contribute to the cost of such improvements. Once such funding is obtained and available for such improvements and the issue of the composition of a merged district's board of commissioners is resolved, Graves District is willing to further consider assuming responsibility and ownership of Milburn Water District's facilities.