

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC ALLEGED FAILURE OF THE)	
GARRARD COUNTY WATER ASSOCIATION, INC.)	
AND ITS OFFICERS, BILL C. DOOLIN, FELIX)	CASE NO.
REYNOLDS, JENNY LYNN WHITTAKER, ROBERT)	2021-00350
H. BALLARD, GARY W. CLARK, BILL OLIVER,)	
AND SEAN SMITH, TO COMPLY WITH A)	
COMMISSION ORDER, KRS 278.990)	

VERIFIED RESPONSE OF THE GARRARD COUNTY WATER ASSOCIATION, INC.,
BILL C. DOOLIN, FELIX REYNOLDS, JENNY LYNN WHITTAKER, ROBERT H. BALLARD,
GARY W. CLARK, BILL OLIVER AND SEAN SMITH, IN THEIR OFFICIAL AND
INDIVIDUAL CAPACITIES, TO THE COMMISSION’S OCTOBER 14, 2021 ORDER

Come now The Garrard County Water Association, Inc. (“GCWA”) and each of its named officers and directors, acting in their official and individual capacities (collectively, “Respondents”), by counsel, pursuant to the Commission’s October 14, 2021 Order (“Order”) in the above-styled docket, and do hereby tender their collective verified response to the averments set forth in the Commission’s Order, respectfully stating as follows:

1. Respondents admit that on or about June 23, 2020, the Commission entered an Order in Case No. 2020-00187, a case filed by GCWA to adjust its rates in response to an increase in rates from a wholesale water supplier. (“the PWA Order”).

2. Respondents further Admit that the PWA Order directed GCWA to submit an application for an adjustment of its retail rates on or before June 23, 2021.

3. Respondents further state that the PWA Order was received and reviewed by Mr. Sean Smith, the General Manager of GCWA and a member of its Board.

4. Mr. Smith further states that he inadvertently overlooked that portion of the PWA Order which directed GCWA to submit an application for an adjustment of its retail rates.

5. Mr. Smith further states that he did not provide a copy of the PWA Order to any of the other individual respondents.

6. Respondents further state that they did not understand that GCWA may have violated the Commission's PWA Order until the Commission's October 14, 2021 Order in this docket was received by Mr. Smith and shared with the other individual respondents.

7. Respondents further state that GCWA contacted counsel immediately upon receiving the October 14, 2021 Order and has since taken the initial steps to prepare a retail rate adjustment application or to submit evidence indicating that such an adjustment is not necessary.

8. Respondents further state that any violation of the Commission's PWA Order was not willful on the part of any of the Respondents.

9. Respondents further state that, as evidenced by each of the annual reports its has filed over the past thirty (30) years, GCWA is in good financial condition. It has a solid track record of complying with Commission rules and regulations and their have been very few incidents of customer complaints over that time frame.

10. Respondents further state that GCWA has been diligent in trying to locate and remediate leaks across its system over the years, which is primarily rural in nature.

11. Respondents further state that they desire to resolve this dispute in a manner that is in the best interest of GCWA and its customers and will, contemporaneous with the filing of this Verified Response, tender a Motion for an Informal Conference to the Commission.

12. Respondents reserve the right to file further pleadings as necessary in this proceeding.

WHEREFORE, on the basis of the foregoing, the Respondents respectfully request:

1. The Commission to cancel the January 26, 2021 hearing scheduled in this matter;
2. Dismiss this case without prejudice so as to allow GCWA to comply with the Commission's June 23, 2020 PWA Order or demonstrate why a retail rate adjustment is not necessary; and
3. Grant any other relief to which the Respondents are entitled.

AFFIDAVIT

COMMONWEALTH OF KENTUCKY)
COUNTY OF GARRARD)

Comes now, Bill C. Doolin, individually and in his official capacity as the President of The Garrard County Water Association, Inc., and after first being duly sworn, does hereby swear and affirm that the statements set forth in the Verified Response are true and correct to the best of his knowledge and belief.

Bill C. Doolin
Bill C. Doolin

The foregoing Affidavit was sworn to, subscribed and acknowledged before me, the Notary Public, by Bill C. Doolin, individually and in his official capacity as the President of The Garrard County Water Association, Inc., on this the 29th day of October, 2021.

[Signature]
NOTARY PUBLIC

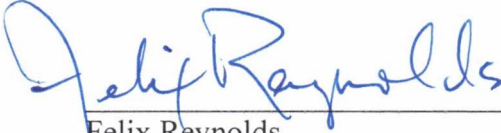
Commission #: 642618

Commission Expires: February 18, 2024

AFFIDAVIT


COMMONWEALTH OF KENTUCKY)
COUNTY OF GARRARD)

Comes now, Felix Reynolds, individually and in his official capacity as the Vice President of The Garrard County Water Association, Inc., and after first being duly sworn, does hereby swear and affirm that the statements set forth in the Verified Response are true and correct to the best of his knowledge and belief.



Felix Reynolds

The foregoing Affidavit was sworn to, subscribed and acknowledged before me, the Notary Public, by Felix Reynolds, individually and in his official capacity as the Vice President of The Garrard County Water Association, Inc., on this the 29th day of October, 2021.



NOTARY PUBLIC

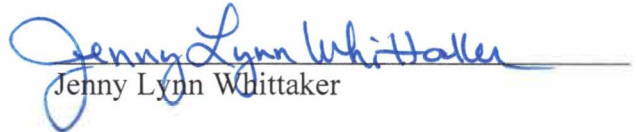
Commission #: 642618

Commission Expires: February 18, 2024

AFFIDAVIT

COMMONWEALTH OF KENTUCKY)
COUNTY OF GARRARD)

Comes now, Jenny Lynn Whittaker, individually and in her official capacity as the Secretary of The Garrard County Water Association, Inc., and after first being duly sworn, does hereby swear and affirm that the statements set forth in the Verified Response are true and correct to the best of her knowledge and belief.


Jenny Lynn Whittaker

The foregoing Affidavit was sworn to, subscribed and acknowledged before me, the Notary Public, by Jenny Lynn Whittaker, individually and in her official capacity as the Secretary of The Garrard County Water Association, Inc., on this the 29th day of October, 2021.


NOTARY PUBLIC


Commission #: 642618

Commission Expires: February 18, 2024

AFFIDAVIT

COMMONWEALTH OF KENTUCKY)
COUNTY OF GARRARD)

Comes now, Robert W. Ballard, individually and in his official capacity as a Director of The Garrard County Water Association, Inc., and after first being duly sworn, does hereby swear and affirm that the statements set forth in the Verified Response are true and correct to the best of his knowledge and belief.



Robert W. Ballard

The foregoing Affidavit was sworn to, subscribed and acknowledged before me, the Notary Public, by Robert W. Ballard, individually and in his official capacity as a Director of The Garrard County Water Association, Inc., on this the 29th day of October, 2021.



NOTARY PUBLIC

Commission #: 642618

Commission Expires: February 18, 2024

AFFIDAVIT

COMMONWEALTH OF KENTUCKY)
COUNTY OF GARRARD)

Comes now, Bill Oliver, individually and in his official capacity as a Director of The Garrard County Water Association, Inc., and after first being duly sworn, does hereby swear and affirm that the statements set forth in the Verified Response are true and correct to the best of his knowledge and belief.



Bill Oliver

The foregoing Affidavit was sworn to, subscribed and acknowledged before me, the Notary Public, by Bill Oliver, individually and in his official capacity as a Director of The Garrard County Water Association, Inc., on this the 29th day of October, 2021.



NOTARY PUBLIC

Commission #: 642618

Commission Expires: February 18, 2024

AFFIDAVIT

COMMONWEALTH OF KENTUCKY)
COUNTY OF GARRARD)

Comes now, Gary W. Clark, individually and in his official capacity as a Director of The Garrard County Water Association, Inc., and after first being duly sworn, does hereby swear and affirm that the statements set forth in the Verified Response are true and correct to the best of his knowledge and belief.

Gary W Clark
Gary W. Clark

The foregoing Affidavit was sworn to, subscribed and acknowledged before me, the Notary Public, by Gary W. Clark, individually and in his official capacity as a Director of The Garrard County Water Association, Inc., on this the 29th day of October, 2021.

J. S. H.
NOTARY PUBLIC

Commission #: 642618

Commission Expires: February 18, 2024

AFFIDAVIT

COMMONWEALTH OF KENTUCKY)
COUNTY OF GARRARD)

Comes now, Sean Smith, individually and in his official capacity as the General Manager and a Director of The Garrard County Water Association, Inc., and after first being duly sworn, does hereby swear and affirm that the statements set forth in the Verified Response are true and correct to the best of his knowledge and belief.



Sean Smith

The foregoing Affidavit was sworn to, subscribed and acknowledged before me, the Notary Public, by Sean Smith, individually and in his official capacity as the General Manager and a Director of The Garrard County Water Association, Inc., on this the 29th day of October, 2021.



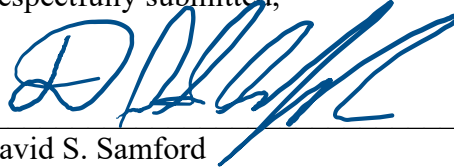
NOTARY PUBLIC

Commission #: KYNP2998

Commission Expires: February 18, 2024

Done this 29th day of October, 2021.

Respectfully submitted,



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Inc., Bill C. Doolin, Felix Reynolds, Jenny Lynn
Whittaker, Robert H. Ballard, Gary W. Clark, Bill
Oliver and Sean Smith*