

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF THE CITY)	
OF EDDYVILLE REVISING ITS)	CASE NO.
WHOLESALE WATER SERVICE RATES TO)	2022-00138
LYON COUNTY WATER DISTRICT)	

**MOTION OF CITY OF EDDYVILLE
TO ACCEPT PROPOSED WHOLESALE RATE AND CLOSE PROCEEDING OR,
IN THE ALTERNATIVE, FOR AUTHORIZATION TO ASSESS A SURCHARGE TO
RECOVER RATE CASE EXPENSES**

Pursuant to 807 KAR 5:001, Section 5, the City of Eddyville (“City”) moves for an Order accepting its proposed wholesale water service rate and closing this investigation or, in the alternative, for an Order authorizing the assessment of a surcharge on the monthly bill for wholesale water service to Lyon County Water District (“Lyon District”) to permit the City to recover its expenses incurred as a result of this proceeding.

In support of its Motion, the City states:

1. The City is a city of the home rule class and operates water treatment and distribution facilities and a wastewater treatment facility and collection system. It provides water service to approximately 1,019 retail customers, including the Kentucky State Penitentiary, and wholesale water service to Lyon District and the City of Fredonia.

2. The City provides wholesale water service to Lyon District under the terms of a 1989 Water Purchase Agreement, a copy of which is attached as Exhibit 1, that permits Lyon District to purchase up to 500,000 gallons of water monthly. Water is provided through eight active master meters.

3. For the year ending June 30, 2021, the City had total revenue from water sales of \$813,454. Approximately \$26,551.38 of this amount, or 3.3 percent, represented sales to Lyon District. See Exhibit 2 (reporting the City's Monthly Sales to Lyon District during the period from June 2020 to May 2022).¹

4. Lyon District does not have water production facilities and purchases its water supply from five suppliers (the cities of Eddyville, Kuttawa, and Princeton, Crittenden-Livingston Water District, and Barkley Lake Water District). Of the 124,000,000 gallons of water which it purchased in 2021, Lyon District purchased 5,698,000 gallons, or roughly 4.6 percent of its purchased water from the City.² Of its total water purchases of \$421,655 in 2021, Lyon District's purchases from Eddyville totaled \$23,305, or 5.5 percent.³ Thus, Eddyville's sales to Lyon District represent a very small portion of Lyon District's water supply and its purchased water expense.

5. On January 25, 2022, the City filed notice with the Public Service Commission ("Commission") of a proposed increase in its wholesale water rate to Lyon District from \$4.09 per 1,000 gallons to \$4.21 per 1,000 gallons to take effect on July 11, 2022. The City served notice of the proposed increase on Lyon District four days earlier.

6. Finding that an investigation was necessary to determine the reasonableness of the proposed rate adjustment, the Commission on June 2, 2022 suspended the proposed rate adjustment and initiated this proceeding to review the proposed rate. In its Order, the Commission emphasized the provision of the Water Purchase Contract that requires that "[a]ny increase or

¹ This exhibit has also been filed with the Commission as Attachment 2 to City of Eddyville's Response to Commission Staff's First Request for Information.

² Exhibit 2; *Report of Lyon County Water District to the Kentucky Public Service Commission for the Year Ending December 31, 2021* ("Lyon District Annual Report") at Ref Page 29.

³ Exhibit 2; *Lyon District Annual Report* at Ref Page 28.

decrease in rates shall be based on a demonstrable increase or decrease in the costs of performance hereunder.”⁴

7. In response to the Commission Staff’s First Request for Information, the City has provided more than adequate evidence to demonstrate the reasonableness of the proposed wholesale rate. Using its 2020-21 Fiscal Year as its test period and applying the debt service coverage ratemaking methodology that the Commission has employed for non-profit water districts and non-profit water association, the City has demonstrated it requires not a three percent increase in revenues, **but an across-board increase of at least 13.23 percent.** The calculations supporting this level of increase are shown at Exhibit 3.

8. The proposed rate adjustment is not discriminatory. The City has not attempted to favor its own residents at the expense of non-residents, such as Lyon District’s customers. **All customers** are subject to a three percent increase in rates. The Commission has consistently found that the allocation of a revenue increase evenly across the board to a utility’s rate design is generally appropriate and reasonable.⁵

9. The City’s proposed increase in the wholesale water service rate to Lyon District is consistent with a plan adopted six years earlier to gradually increase its rates for water and sewer service to better reflect the cost of service and to enable the City to meet the obligations of several debt instruments, the proceeds of which had been used to finance improvements to the City’s water and wastewater facilities.

⁴ Water Purchase Agreement at Section C5.

⁵ See, e.g., *Electronic Application of Christian County Water District For A Rate Adjustment Pursuant To 807 KAR 5:076*, Case No. 2021-00369 (Ky. PSC Mar. 17, 2022) at 14 (“[t] he Commission finds that the allocation of a revenue increase evenly across the board to a utility’s rate design is appropriate when there has been no evidence entered into the record demonstrating that this method is unreasonable and in the absence of a [cost of service study].”).

a. In 2015 the City applied to the Kentucky Infrastructure Authority (“KIA”) for a loan to finance improvements to its sewer operations, KIA performed a limited financial review of the City’s finances. This analysis revealed that expenses from 2012 to 2014 were increasing at a greater rate than revenues and that cash shortfalls in the water and sewer operations were being funded with General Fund revenues. To avoid the rate shock that would result from an immediate and significant increase in rates, the City Council committed to a series of moderate increases in water and sewer rates over the next ten years that would be assessed to all customers. In 2016 the City Council enacted an Ordinance 2016-02-01B (Exhibit 4) that provided for **an across-the-board** ten percent increase in water rates and a 15 percent increase in sewer rates and across-the-board three percent increases in water and sewer rates once each biennium thereafter until 2026. The City regards the Ordinance as a commitment to the KIA to ensure rates that recover the cost of service and provided adequate revenues to service the principal and interest payments on its loans.

b. In 2018 and 2020 the City approved three percent **across-the-board** increases in its water rates consistent with the 2016 Ordinance. These Ordinances are attached as Exhibits 5 and 6.

c. In January 2022 the City filed its notice of proposed rate change with the Commission in preparation of its next **across-the-board** three percent rate increase. On May 2, 2022, the first reading of Ordinance 2022-05-02 occurred. This proposed ordinance, a copy of which is attached as Exhibit 6, raises the City’s current rates for water and sewer service to **all city customers** by three percent. The City has postponed the second reading of the Ordinance in light of the Commission’s Order of June 2, 2022.

10. The City's proposed three percent increase, its first in twenty-four months, is less than half the national average for increases in water and sewer rates that have occurred in the last twenty-four months. According to the U.S. Bureau of Labor Statistics' Consumer Price Index for All Urban Consumers: Water and Sewer and Trash Collection Services in U.S. City Average, the cost of water service has increased 7.8 percent since July 2020.

11. Continuing this investigation will result in an unnecessary and wasteful use of the City's and the Commission's resources. Based upon Lyon District's water purchases for the most recent 12-month period for which billing information is available (June 2021 to May 2022), the proposed rate adjustment will produce just \$623 of additional annual revenue for the City. This modest level of revenue increase does not justify the expenditure of thousands of dollars by the City **and the Commission** for an examination of the proposed wholesale rate adjustment.

12. This investigation is not necessary to protect Lyon District's interests. Since being served with notice of the proposed wholesale rate increase, Lyon District has neither questioned or objected to the proposed increase. It has not requested this proceeding, nor has it made any effort to intervene in this proceeding. Based upon Lyon County Water District's reported purchased water expense of \$421,655 for Calendar Year 2021, the City's proposed wholesale rate will increase Lyon County Water District's purchased water cost by 0.148 percent or about \$0.0072 per 1,000 gallons in the rates currently charged to Lyon County Water District's customers. Lyon District's silence in this matter is clear evidence that it does not regard the proposed wholesale increase as unreasonable or as significantly affecting its customers or as worthy of extensive examination or review.

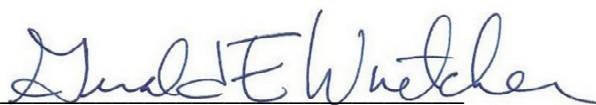
13. If the Commission finds that this proceeding should continue notwithstanding the evidence already presented, then the Commission should authorize the City to assess Lyon District

a surcharge of sufficient amount to permit the City's recovery of its reasonable expenses in this proceeding within two years of a final decision. The Commission has long recognized that a municipal utility should be permitted to recover its reasonable rate case expenses from its wholesale customers.⁶ If this proceeding is to continue and is conducted solely to benefit the wholesale customer, that customer should bear the rate case expenses associated with the proceeding.

WHEREFORE, the City of Eddyville requests that the Commission enter an order approving the proposed wholesale rate and close this proceeding, or in the alternative, authorize the City's assessment of a surcharge on service to Lyon District to permit the City to recover its reasonable rate case expenses within two years from a final decision in this matter.

Dated: July 19, 2022

Respectfully submitted,



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Email: stephen@seunderwoodlaw.com

Counsel for City of Eddyville, Kentucky

⁶ See, e.g., *Proposed Adjustment of the Wholesale Water Service Rates of the City of Owenton, Kentucky*, Case No. 98-283 (Ky. PSC Feb. 22, 1999).

EXHIBIT 1

WATER PURCHASE CONTRACT

THIS CONTRACT for the sale and purchase of water is entered into as of the 23rd day of October, 1989, between the City of Eddyville, Kentucky whose mailing address is P. O. Box 673, Eddyville, Kentucky 42038, hereinafter referred to as the SELLER, and the Lyon County Water District, a public agency, whose mailing address is P. O. Box 675, Eddyville, Kentucky 42038, hereinafter referred to as the PURCHASER,

WITNESSETH:

WHEREAS, the PURCHASER is organized and established under the Kentucky Revised Statues as a public agency having perpetual succession, and

WHEREAS, the PURCHASER is desirous of purchasing water from the SELLER for distribution at a maximum volume of Five Hundred Thousand (500,000) gallons per month, and

WHEREAS, the SELLER owns and operates a water supply distribution system with a capacity currently capable of serving the PURCHASER at a maximum volume of Five Hundred Thousand (500,000) gallons per month, and

WHEREAS, on the 16th day of October, 1989, the SELLER, through its City Council, did affirmatively agree to the sale of water to the PURCHASER in accordance with the provisions of this contract, which was properly executed by the Mayor and attested by the Clerk of the City of Eddyville, said actions of SELLER, through Council, were duly recorded within the official minute book of SELLER,

WHEREAS, on the 23rd day of OCTOBER, 1989, the PURCHASER, through its Officers, did affirmatively agree to the purchase of water from the SELLER in accordance with the provisions of this contract, which was properly executed by the Chairman and attested by the Secretary of the Lyon County Water District, said actions of PURCHASER, through its Officers, were duly recorded within the official minute book of PURCHASER,

NOW THEREFORE, in consideration of the foregoing and the mutual agreements hereinafter set forth,

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

RECEIVED

SEP 02 1994

AUG 15 1994

PURSUANT TO 807 KAR 5.011,
SECTION 9 (1)

PUBLIC SERVICE
COMMISSION

BY: Jordan C. [Signature]
FOR THE PUBLIC SERVICE COMMISSION

A. THE SELLER AGREES:

1. (Quality and Quantity) To furnish the PURCHASER at the point of delivery hereinafter specified, during the term of this contract or any renewal or extension thereof, potable treated water meeting applicable purity standards of the Kentucky Department of Health in such quantity as may be required by the PURCHASER not to exceed Five Hundred Thousand (500,000) gallons per month, with no monthly minimum requirements by PURCHASER.

2. (Point of Delivery and Pressure) That water will be furnished at a minimum pressure of 30 PSI at the discharge side of the PURCHASER's meter located at the City Limits off HWY 93 at junction of Riley Road and Elkhorn Tavern. If a greater pressure than that normally available at the point of delivery is required by the PURCHASER, the cost of providing such greater pressure shall be borne by the PURCHASER. Emergency failures of pressure or supply due to main supply line breaks, power failure, flood, fire and use of water to fight fire, earthquake, or other catastrophe shall excuse the SELLER from this provision for such reasonable period of time as may be necessary to restore service.

3. (Metering Equipment) To maintain the metering equipment, installed by PURCHASER, and to calibrate such metering equipment whenever requested by the PURCHASER but not more frequently than once every five (5) years. A meter registering not more than two percent (2%) above or below the test result shall be deemed to be accurate. The previous readings of any meter disclosed by test to be inaccurate shall be corrected for the six (6) months previous to such test in accordance with the percentage of inaccuracy found by such tests. If any meter fails to register for any period, the amount of water furnished during such period shall be deemed to be the amount of water delivered in the corresponding period immediately prior to the failure, unless SELLER and PURCHASER shall agree upon a different amount. The metering equipment shall be read between the 15th and 25th of each month. An appropriate official of the PURCHASER, at all reasonable times, shall have access to the meter for the purpose of verifying its readings.

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SECTION 9(1)

BY: Jordan C. [Signature]
FOR THE PUBLIC SERVICE COMMISSION

4. (Billing Procedure) To furnish the PURCHASER, at the above address not later than the fifth (5th) of each month, with an itemized statement of the amount of water furnished the PURCHASER during the preceding month.

B. THE PURCHASER AGREES:

1. (Rates and Payment Date) To pay the SELLER, not later than the 10th day of each month, for water delivered in accordance with the following rate schedule:

a. \$1.39 per 1,000 gallons purchased throughout the term of this contract.

2. The PURCHASER shall install all piping and meter equipment for the connection and shall pay the total cost thereof. All installations and connections to the SELLER's main, including meter and piping, shall be in accordance with a plan approved by the SELLER. The time of connection shall be agreed upon prior to installation.

C. IT IS MUTUALLY AGREED BETWEEN THE SELLER AND THE PURCHASER:

1. (Term of Contract) That this contract shall extend for a term of forty (40) years from the date of the initial delivery of any water as shown by the first bill submitted by the SELLER to the PURCHASER and, thereafter may be renewed or extended for such term, or terms, as may be agreed upon by the SELLER and PURCHASER.

2. (Delivery of Water) That thirty (30) days prior to the estimated date of completion of construction of the PURCHASER's water supply distribution system, the PURCHASER will notify the SELLER in writing the date for the initial delivery of water. It is further agreed that when said system is completed, PURCHASER shall charge tap fees to its customers regarding water and the SELLER shall have no interest in said fees outside the City Limits. The PURCHASER shall have no interest in tap fees on that portion of water line which is situated within the City Limits of SELLER. SELLER shall own and maintain the line within its City Limits, PURCHASER shall maintain the remaining lines.

3. (Water for Testing) When requested by PURCHASER, the SELLER will make available to the contractor at the point of delivery, or other point reasonably close thereto, water

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BY: Jordan C. Neal
FOR THE PUBLIC SERVICE COMMISSION

sufficient for testing, flushing and trench filling the system of the PURCHASER during construction, irrespective of whether the metering equipment has been installed at that time, at a rate of \$1.39 per 1,000 gallons which will be paid by the contractor, or on his failure to pay, by the PURCHASER.

4. (Failure to Deliver) That the SELLER will, at all times, take such actions as may be necessary, to furnish the PURCHASER with quantities of water required by the PURCHASER. Temporary or partial failures to deliver water shall be remedied with all possible dispatch. In the event of an extended shortage of water, or the supply of water available to the SELLER is otherwise diminished over an extended period of time, the supply of water to PURCHASER's consumers shall be reduced or diminished in the same ratio or proportion as the supply to SELLER's consumers is reduced or diminished.

5. (Modification of Contract) That the provisions of this contract pertaining to the rate to be paid by the PURCHASER for water delivered is subject to modification at the end of the initial one (1) year period and at the end of every one (1) year period thereafter. Any increase or decrease in rates shall be based on a demonstrable increase or decrease in the costs of performance hereunder. Other provisions of this contract may be modified or altered by mutual agreement.

6. (Regulatory Agencies) That this contract is subject to such rules, regulations, or laws as may be applicable to similar agreements in this State and the SELLER and PURCHASER will collaborate in obtaining such permits, certificates, or the like, as may be required to comply herewith.

7. (Successor to the PURCHASER) That in the event of any occurrence rendering the PURCHASER incapable of performing this contract, the contract will become null and void.

PUBLIC SERVICE COMMISSION
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PURSUANT TO 807 KAR 5:011,
SECTION 9(1)

BY Jordan C. Neal
FOR THE PUBLIC SERVICE COMMISSION

IN WITNESS WHEREOF, the parties hereto, acting under authority of their respective governing bodies, have caused this contract to be duly executed in six counterparts, each of which shall constitute an original.

SELLER:

CITY OF EDDYVILLE, KENTUCKY

BY: Jerry L. Peek
Jerry Peek, Mayor

ATTEST:

[Signature]
Eddyville City Clerk

PURCHASER:

LYON COUNTY WATER DISTRICT

BY: Don Robertson
Don Robertson, Chairman

ATTEST:

Newman Herring
Newman Herring, Secretary

THIS INSTRUMENT PREPARED BY:

[Signature]
G. L. Ovey
OVEY & JOHNSON
Attorneys at Law
P. O. Box 679
Eddyville, Kentucky 42038

STATE OF KENTUCKY, COUNTY OF LYON, SCT.

I, Jane DeFew, Clerk of the County and State, do certify
that the foregoing instrument of writing was presented for the record on the
7 day of Nov, 1989 at 1:00 PM o'clock, and I have
recorded the same together with this and foreclosed certificate in my
office. Given under my hand this 7 day of Nov, 1989

- misc Bk 11
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BY: Jane DeFew D.C.
JANE DEFEW, CLERK

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

SEP 02 1994

PURSUANT TO 807 KAR 5.011,
SECTION 9(1)

BY: [Signature]
FOR THE PUBLIC SERVICE COMMISSION

EXHIBIT 2

SALES TO LYON COUNTY WATER DISTRICT

Month	Usage (Gallons)	Amount
Jun-20	401,000	\$ 1,591.97
Jul-20	377,000	\$ 1,496.69
Aug-20	1,767,000	\$ 7,227.03
Sep-20	385,000	\$ 1,574.65
Oct-20	296,000	\$ 1,210.64
Nov-20	396,000	\$ 1,619.64
Dec-20	254,000	\$ 1,038.86
Jan-21	269,000	\$ 1,100.21
Feb-21	439,000	\$ 1,795.51
Mar-21	849,000	\$ 3,472.41
Apr-21	313,000	\$ 1,280.17
May-21	729,000	\$ 2,981.61
Jun-21	424,000	\$ 1,734.16
Jul-21	515,000	\$ 2,106.35
Aug-21	956,000	\$ 3,910.04
Sep-21	326,000	\$ 1,333.34
Oct-21	286,000	\$ 1,169.74
Nov-21	333,000	\$ 1,361.97
Dec-21	259,000	\$ 1,059.31
Jan-22	249,000	\$ 1,018.41
Feb-22	549,000	\$ 2,245.41
Mar-22	337,000	\$ 1,378.33
Apr-22	272,000	\$ 1,112.48
May-22	571,000	\$ 2,335.39

EXHIBIT 3

SCHEDULE OF ADJUSTED OPERATIONS – CITY OF EDDYVILLE WATER OPERATIONS

TYE 06/30/2021

	Test Year	Adjustment	Ref.	Pro Forma
Operating Revenues				
Sales of Water	813,454.00			813,454.00
Total Operating Revenues	813,454.00			813,454.00
Operating Expenses				
Operation and Maintenance Expenses				
Salaries and Wages	85,778.00			85,778.00
Employee Pensions and Benefits	56,921.00			56,921.00
Repairs and Maintenance	119,029.00			119,029.00
Utilities	74,725.00			74,725.00
Materials and Supplies	38,189.00			38,189.00
Gasoline, Oil and Grease	5,522.00			5,522.00
Office Supplies	6,960.00			6,960.00
Insurance	32,151.00			32,151.00
Loan Fees	999.00			999.00
Miscellaneous Expenses	10421.00			10421.00
Total Operation and Maintenance Expenses	430,695.00			430,695.00
Depreciation Expense	260,298.00			260,298.00
Taxes Other than Income	6,545.00			6,545.00
Total Operating Expenses	697,538.00	0.00		697,538.00
Utility Operating Income	115,916.00	0.00		115,916.00

DEBT SERVICE PAYMENTS/COVERAGE
(Assumes 20 Percent Coverage Requirement)

Year	KIA C18-005		BB&T Lease		Annual Payment
	Principal	Interest	Principal	Interest	
2022	\$ 93,242	\$ 8,159	\$109,731	\$14,962	\$226,095
2023	95,351	6,050	112,436	12,257	226,095
2024	97,509	3,892	115,208	9,486	226,095
Total:	\$286,102	\$18,101	\$337,375	\$36,705	\$678,285
Average:	\$ 95,367	\$ 6,034	\$112,458	\$12,235	\$226,095
Coverage:					\$ 45,219

REVENUE REQUIREMENT CALCULATION - DEBT COVERAGE METHOD
(Assumes 20 Percent Coverage Requirement)

Pro forma Operating Expenses	\$697,538
Plus: Average Annual Debt Principal and Interest Payment	\$226,095
Debt Coverage Requirement	\$ 45,219
Total Revenue Requirement	\$968,852
Less: Other Operating Revenue	\$ 0
Non-Operating Revenue	\$ 2,554
Interest Income	\$ - 0
Revenue Required from Rates	\$966,298
Less: Revenue from Sales at Present Rates	\$813,454
Required Revenue Increase	\$152,844
Required Revenue Increase stated as a Percentage of Revenue at Present Rates	18.79

REVENUE REQUIREMENT CALCULATION - DEBT COVERAGE METHOD
(Assumes No Coverage Requirement)

Pro forma Operating Expenses	\$697,538
Plus: Average Annual Debt Principal and Interest Payment	\$226,095
Debt Coverage Requirement	\$ 0
Total Revenue Requirement	\$923,633
Less: Other Operating Revenue	\$ 0
Non-Operating Revenue	\$ 2,554
Interest Income	\$ - 0
Revenue Required from Rates	\$921,079
Less: Revenue from Sales at Present Rates	\$813,454
Required Revenue Increase	\$107,625
Required Revenue Increase stated as a Percentage of Revenue at Present Rates	13.23

EXHIBIT 4

**CITY OF EDDYVILLE, KENTUCKY
ORDINANCE 2016-02-01B
WATER AND SEWER RATE ORDINANCE**

WHEREAS, the City of Eddyville, Kentucky on June 7, 2004 passed and adopted a City Ordinance pertaining to the rates, rules and regulations of the water and sewer system of the City of Eddyville, Kentucky; and

WHEREAS, certain changes and modifications of said Ordinance have become necessary due to changing times; and

WHEREAS, the cost of providing water and sewer services for the residents of the City of Eddyville, Kentucky has increased dramatically over the past few years; and

WHEREAS, the City of Eddyville, Kentucky is currently in the process of rebuilding and rehabilitating our sewer system and undertaking significant maintenance and repairs to water system facilities and must establish a rate to pay for same;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Eddyville, Kentucky as follows:

1. The City Ordinance Section 51.087 and Section 51.088 be amended and the specified provisions of the sections shall hereinafter read as follows:

SECTION 51.087 RATES AND CHARGES FOR ORDINARY WATER SERVICE.

The rates and charges for ordinary water services shall be based upon a metered rate as follows:

W-1	Single Residence in City Limits		
	Minimum Charge for 2,000 gallons	21.12	<u>\$23.23</u>
	Per 1,000 gallons above 2,000 gallons	4.57	<u>5.03</u>
W-2	Double Residence in City Limits		
	Minimum Charge for 4,000 gallons	42.24	<u>\$46.46</u>
	Per 1,000 gallons above 4,000 gallons	4.57	<u>5.03</u>
W-3	Amber Village - Four Unit		
	Minimum Charge for 8,000 gallons	84.48	<u>\$92.93</u>
	Per 1,000 gallons above 8,000 gallons	4.57	<u>5.03</u>

W-4	Amber Village - Eight Unit		
	Minimum Charge for 16,000 gallons	168.96	<u>\$185.86</u>
	Per 1,000 gallons above 16,000 gallons	4.57	<u>5.03</u>
W-5	Fredonia, Kentucky		
	Minimum Charge for 1,000 gallons	3.50	<u>\$3.85</u>
	Per 1,000 gallons above 1,000 gallons	3.50	<u>3.85</u>
W-6	Housing Project - 101 Units		
	Minimum Charge for 202,000 gallons	2,133.12	<u>\$2,346.43</u>
	Per 1,000 gallons for next 101,000 gallons	4.57	<u>5.03</u>
	Per 1,000 gallons above 303,000 gallons	4.57	<u>3.85</u>
W-7	Single Residence outside City Limits		
	Minimum Charge for 2,000 gallons	25.08	<u>\$27.59</u>
	Per 1,000 gallons above 2,000 gallons	4.57	<u>5.03</u>
W-8	Double Residence outside City Limits		
	Minimum Charge for 4,000 gallons	50.16	<u>\$55.18</u>
	Per 1,000 gallons above 4,000 gallons	4.57	<u>5.03</u>
W-9	Business inside City Limits		
	Minimum Charge for 2,000 gallons	26.40	<u>\$29.04</u>
	Per 1,000 gallons for next 16,000 gallons	4.57	<u>5.03</u>
	Per 1,000 gallons for next 80,000 gallons	4.16	<u>4.58</u>
	Per 1,000 gallons for next 100,000 gallons	3.86	<u>4.25</u>
	Per 1,000 gallons above 200,000 gallons	3.50	<u>3.85</u>
W-A	Double Business in City Limits		
	Minimum Charge for 4,000 gallons	52.80	<u>\$58.08</u>
	Per 1,000 gallons for next 16,000 gallons	4.57	<u>5.03</u>
	Per 1,000 gallons for next 80,000 gallons	4.16	<u>4.58</u>
	Per 1,000 gallons for next 100,000 gallons	3.86	<u>4.25</u>
	Per 1,000 gallons above 200,000 gallons	3.50	<u>3.85</u>
W-B	Business Outside City Limits		
	Minimum Charge for 2,000 gallons	29.70	<u>\$32.67</u>
	Per 1,000 gallons for next 16,000 gallons	4.57	<u>5.03</u>
	Per 1,000 gallons for next 80,000 gallons	4.16	<u>4.58</u>
	Per 1,000 gallons for next 100,000 gallons	3.86	<u>4.25</u>
	Per 1,000 gallons above 200,000 gallons	3.50	<u>3.85</u>
W-C	Double Business Outside City Limits		
	Minimum Charge for 4,000 gallons	59.40	<u>\$65.34</u>
	Per 1,000 gallons for next 16,000 gallons	4.57	<u>5.03</u>
	Per 1,000 gallons for next 80,000 gallons	4.16	<u>4.58</u>

W-C	Double Business Outside City Limits-continued		
	Per 1,000 gallons for next 100,000 gallons	3.86	<u>4.25</u>
	Per 1,000 gallons above 200,000 gallons	3.50	<u>3.85</u>
W-D	Eddyville Swimming Pool/West Kentucky Farm Center/Lyon County Water District		
	Minimum Charge for 1,000 gallons	3.50	<u>\$3.85</u>
	Per 1,000 gallons over 1,000 gallons	3.50	<u>3.85</u>
W-E	Churches		
	Minimum Charge for 2,000 gallons	21.12	<u>\$23.23</u>
	Per 1,000 gallons above 2,000 gallons	4.57	<u>5.03</u>
W-F	Governmental Agencies		
	Minimum Charge for 2,000 gallons	26.40	<u>\$29.04</u>
	Per 1,000 gallons for next 8,000 gallons	4.57	<u>5.03</u>
	Per 1,000 gallons for next 40,000 gallons	4.16	<u>4.58</u>
	Per 1,000 gallons for next 50,000 gallons	3.86	<u>4.25</u>
	Per 1,000 gallons above 100,000 gallons	3.50	<u>3.85</u>

Water rate increases shall occur at the rate of 3% in year 2018, year 2020, year 2022, year 2024, and year 2026. The increase shall take effect on July 1 of each year rate increase occurs.

Section 51.088 RATES AND CHARGES FOR SEWER SERVICE.

The rates and charges for sewer services shall be based upon water usage as follows:

S-1	Single Residence in City Limits		
	Minimum Charge for 2,000 gallons	22.44	<u>\$25.81</u>
	Per 1,000 gallons above 2,000 gallons	4.86	<u>5.59</u>
S-2	Double Residence in City Limits		
	Minimum Charge for 4,000 gallons	44.88	\$51.61
	Per 1,000 gallons above 4,000 gallons	4.86	<u>5.59</u>
S-3	Amber Village - Four Unit		
	Minimum Charge for 8,000 gallons	89.76	<u>\$103.22</u>
	Per 1,000 gallons above 8,000 gallons	4.86	<u>5.59</u>
S-4	Amber Village - Eight Unit		
	Minimum Charge for 16,000 gallons	179.52	<u>\$206.45</u>
	Per 1,000 gallons above 16,000 gallons	4.86	<u>5.59</u>

S-5	Flat Rate Charge - No Water Minimum Charge	37.40	<u>\$43.01</u>
S-6	Housing Project - 101 Units Minimum Charge for 202,000 gallons Per 1,000 gallons for next 101,000 gallons Per 1,000 gallons above 303,000 gallons	2,266.44 4.86 3.00	<u>\$2,606.41</u> <u>5.59</u> <u>3.45</u>
S-7	Single Residence outside City Limits Minimum Charge for 2,000 gallons Per 1,000 gallons above 2,000 gallons	26.65 4.86	<u>\$30.65</u> <u>5.59</u>
S-8	Double Residence outside City Limits Minimum Charge for 4,000 gallons Per 1,000 gallons above 4,000 gallons	53.30 4.86	<u>\$61.30</u> <u>5.59</u>
S-9	Business inside City Limits Minimum Charge for 2,000 gallons Per 1,000 gallons for next 8,000 gallons Per 1,000 gallons for next 40,000 gallons Per 1,000 gallons for next 50,000 gallons Per 1,000 gallons above 100,000 gallons	28.05 4.86 4.43 4.09 3.00	<u>\$32.26</u> <u>5.59</u> <u>5.09</u> <u>4.70</u> <u>3.45</u>
S-A	Double Business in City Limits Minimum Charge for 4,000 gallons Per 1,000 gallons for next 16,000 gallons Per 1,000 gallons for next 80,000 gallons Per 1,000 gallons for next 100,000 gallons Per 1,000 gallons above 200,000 gallons	56.10 4.86 4.43 4.09 3.00	<u>\$64.52</u> <u>5.59</u> <u>5.09</u> <u>4.70</u> <u>3.45</u>
S-B	Churches Minimum Charge for 2,000 gallons Per 1,000 gallons above 2,000 gallons	22.44 4.86	<u>\$25.81</u> <u>5.59</u>
S-C	Governmental Agencies Minimum Charge for 2,000 gallons Per 1,000 gallons for next 8,000 gallons Per 1,000 gallons for next 40,000 gallons Per 1,000 gallons for next 50,000 gallons Per 1,000 gallons above 100,000 gallons	28.05 4.86 4.43 4.09 3.00	<u>\$32.26</u> <u>5.59</u> <u>5.09</u> <u>4.70</u> <u>3.45</u>
S-D	City of Fredonia, Kentucky Minimum Charge for 1,000 gallons Per 1,000 gallons over 1,000	3.00 3.00	<u>\$3.45</u> <u>3.45</u>


S-E	West Kentucky Farm Center		
	Minimum Charge for 1,000 gallons	3.00	<u>\$3.45</u>
	Per 1,000 gallons over 1,000 gallons	3.00	<u>3.45</u>
S-F	Business outside City Limits		
	Minimum Charge for 1,000 gallons	31.57	<u>\$36.31</u>
	Per 1,000 gallons for the next 8,000 gallons	4.86	<u>5.59</u>
	Per 1,000 gallons for next 40,000 gallons	4.43	<u>5.09</u>
	Per 1,000 gallons for next 50,000 gallons	4.09	<u>4.70</u>
	Per 1,000 gallons above 100,000 gallons	3.00	<u>3.45</u>

Sewer rate increases shall occur at the rate of 3% in year 2018, year 2020, year 2022, year 2024, and year 2026. The increase shall take effect on July 1 of each year rate increase occurs.

All ordinances or portions thereof hereby inconsistent with the amendments and herein are hereby repealed. All other provisions, both within the original ordinance and any amendments, not inconsistent with this ordinance are hereby reaffirmed.

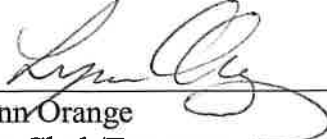
This Ordinance governing rates shall be effective March 1, 2016.

First Reading February 1, 2016
Second Reading February 8, 2016
Published February 10, 2016



Nancy Slaton, Mayor
City of Eddyville, Kentucky

ATTEST:



Lynn Orange
City Clerk/Treasurer

EXHIBIT 5

**CITY OF EDDYVILLE, KENTUCKY
ORDINANCE 2018-05-07
WATER AND SEWER RATE ORDINANCE**

WHEREAS, the City of Eddyville, Kentucky on February 1, 2016 passed and adopted a City Ordinance pertaining to the rates, rules and regulations of the water and sewer system of the City of Eddyville, Kentucky; and

WHEREAS, certain changes and modifications of said Ordinance have become necessary due to changing times; and

WHEREAS, the cost of providing water and sewer services for the residents of the City of Eddyville, Kentucky has increased dramatically over the past few years; and

WHEREAS, the City of Eddyville, Kentucky must establish a rate to pay for maintenance and repairs to water and sewer system facilities;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Eddyville, Kentucky as follows:

1. The City Ordinance Section 51.087 and Section 51.088 be amended and the specified provisions of the sections shall hereinafter read as follows:

SECTION 51.087 RATES AND CHARGES FOR ORDINARY WATER SERVICE.

The rates and charges for ordinary water services shall be based upon a metered rate as follows:

W-1	Single Residence in City Limits		
	Minimum Charge for 2,000 gallons	23.23	<u>\$23.93</u>
	Per 1,000 gallons above 2,000 gallons	5.03	<u>5.18</u>
W-2	Double Residence in City Limits		
	Minimum Charge for 4,000 gallons	46.46	<u>\$47.85</u>
	Per 1,000 gallons above 4,000 gallons	5.03	<u>5.18</u>
W-3	Amber Village - Four Unit		
	Minimum Charge for 8,000 gallons	92.93	<u>\$95.72</u>
	Per 1,000 gallons above 8,000 gallons	5.03	<u>5.18</u>

W-4	Amber Village - Eight Unit		
	Minimum Charge for 16,000 gallons	185.86	<u>\$191.44</u>
	Per 1,000 gallons above 16,000 gallons	5.03	<u>5.18</u>
W-5	Fredonia, Kentucky		
	Minimum Charge for 1,000 gallons	3.85	\$ <u>3.97</u>
	Per 1,000 gallons above 1,000 gallons	3.85	<u>3.97</u>
W-6	Housing Project - 101 Units		
	Minimum Charge for 202,000 gallons	2,346.43	<u>\$2,416.82</u>
	Per 1,000 gallons for next 101,000 gallons	5.03	<u>5.18</u>
	Per 1,000 gallons above 303,000 gallons	3.85	<u>3.97</u>
W-7	Single Residence outside City Limits		
	Minimum Charge for 2,000 gallons	27.59	<u>\$28.42</u>
	Per 1,000 gallons above 2,000 gallons	5.03	<u>5.18</u>
W-8	Double Residence outside City Limits		
	Minimum Charge for 4,000 gallons	55.18	<u>\$56.84</u>
	Per 1,000 gallons above 4,000 gallons	5.03	<u>5.18</u>
W-9	Business inside City Limits		
	Minimum Charge for 2,000 gallons	29.04	<u>\$29.91</u>
	Per 1,000 gallons for next 16,000 gallons	5.03	<u>5.18</u>
	Per 1,000 gallons for next 80,000 gallons	4.58	<u>4.72</u>
	Per 1,000 gallons for next 100,000 gallons	4.25	<u>4.38</u>
	Per 1,000 gallons above 200,000 gallons	3.85	<u>3.97</u>
W-A	Double Business in City Limits		
	Minimum Charge for 4,000 gallons	58.08	<u>\$59.82</u>
	Per 1,000 gallons for next 16,000 gallons	5.03	<u>5.18</u>
	Per 1,000 gallons for next 80,000 gallons	4.58	<u>4.72</u>
	Per 1,000 gallons for next 100,000 gallons	4.25	<u>4.38</u>
	Per 1,000 gallons above 200,000 gallons	3.85	<u>3.97</u>
W-B	Business Outside City Limits		
	Minimum Charge for 2,000 gallons	32.67	<u>\$33.65</u>
	Per 1,000 gallons for next 16,000 gallons	5.03	<u>5.18</u>
	Per 1,000 gallons for next 80,000 gallons	4.58	<u>4.72</u>
	Per 1,000 gallons for next 100,000 gallons	4.25	<u>4.38</u>
	Per 1,000 gallons above 200,000 gallons	3.85	<u>3.97</u>
W-C	Double Business Outside City Limits		
	Minimum Charge for 4,000 gallons	65.34	<u>\$67.30</u>
	Per 1,000 gallons for next 16,000 gallons	5.03	<u>5.18</u>
	Per 1,000 gallons for next 80,000 gallons	4.58	<u>4.72</u>

W-C	Double Business Outside City Limits-continued		
	Per 1,000 gallons for next 100,000 gallons	4.25	<u>4.38</u>
	Per 1,000 gallons above 200,000 gallons	3.85	<u>3.97</u>
W-D	Eddyville Swimming Pool/West Kentucky Farm Center/Lyon County Water District		
	Minimum Charge for 1,000 gallons	3.85	<u>\$3.97</u>
	Per 1,000 gallons over 1,000 gallons	3.85	<u>3.97</u>
W-E	Churches		
	Minimum Charge for 2,000 gallons	23.23	<u>\$23.93</u>
	Per 1,000 gallons above 2,000 gallons	5.03	<u>5.18</u>
W-F	Governmental Agencies		
	Minimum Charge for 2,000 gallons	29.04	<u>\$29.91</u>
	Per 1,000 gallons for next 8,000 gallons	5.03	<u>5.18</u>
	Per 1,000 gallons for next 40,000 gallons	4.58	<u>4.72</u>
	Per 1,000 gallons for next 50,000 gallons	4.25	<u>4.38</u>
	Per 1,000 gallons above 100,000 gallons	3.85	<u>3.97</u>

Water rate increases shall occur at the rate of 3% in year 2020, year 2022, year 2024, and year 2026. The increase shall take effect on July 1 of each year rate increase occurs.

Section 51.088 RATES AND CHARGES FOR SEWER SERVICE.

The rates and charges for sewer services shall be based upon water usage as follows:

S-1	Single Residence in City Limits		
	Minimum Charge for 2,000 gallons	25.81	<u>\$26.58</u>
	Per 1,000 gallons above 2,000 gallons	5.59	<u>5.76</u>
S-2	Double Residence in City Limits		
	Minimum Charge for 4,000 gallons	51.61	\$53.16
	Per 1,000 gallons above 4,000 gallons	5.59	<u>5.76</u>
S-3	Amber Village - Four Unit		
	Minimum Charge for 8,000 gallons	103.22	<u>\$106.32</u>
	Per 1,000 gallons above 8,000 gallons	5.59	<u>5.76</u>
S-4	Amber Village - Eight Unit		
	Minimum Charge for 16,000 gallons	206.45	<u>\$212.64</u>
	Per 1,000 gallons above 16,000 gallons	5.59	<u>5.76</u>

S-5	Flat Rate Charge - No Water		
	Minimum Charge	43.01	<u>\$44.30</u>
S-6	Housing Project - 101 Units		
	Minimum Charge for 202,000 gallons	2,606.41	<u>\$2,684.60</u>
	Per 1,000 gallons for next 101,000 gallons	5.59	<u>5.76</u>
	Per 1,000 gallons above 303,000 gallons	3.45	<u>3.55</u>
S-7	Single Residence outside City Limits		
	Minimum Charge for 2,000 gallons	30.65	<u>\$31.57</u>
	Per 1,000 gallons above 2,000 gallons	5.59	<u>5.76</u>
S-8	Double Residence outside City Limits		
	Minimum Charge for 4,000 gallons	61.30	<u>\$63.14</u>
	Per 1,000 gallons above 4,000 gallons	5.59	<u>5.76</u>
S-9	Business inside City Limits		
	Minimum Charge for 2,000 gallons	32.26	<u>\$33.23</u>
	Per 1,000 gallons for next 8,000 gallons	5.59	<u>5.76</u>
	Per 1,000 gallons for next 40,000 gallons	5.09	<u>5.24</u>
	Per 1,000 gallons for next 50,000 gallons	4.70	<u>4.84</u>
	Per 1,000 gallons above 100,000 gallons	3.45	<u>3.55</u>
S-A	Double Business in City Limits		
	Minimum Charge for 4,000 gallons	64.52	<u>\$66.46</u>
	Per 1,000 gallons for next 16,000 gallons	5.59	<u>5.76</u>
	Per 1,000 gallons for next 80,000 gallons	5.09	<u>5.24</u>
	Per 1,000 gallons for next 100,000 gallons	4.70	<u>4.84</u>
	Per 1,000 gallons above 200,000 gallons	3.45	<u>3.55</u>
S-B	Churches		
	Minimum Charge for 2,000 gallons	25.81	<u>\$27.36</u>
	Per 1,000 gallons above 2,000 gallons	5.59	<u>5.76</u>
S-C	Governmental Agencies		
	Minimum Charge for 2,000 gallons	32.26	<u>\$33.23</u>
	Per 1,000 gallons for next 8,000 gallons	5.59	<u>5.76</u>
	Per 1,000 gallons for next 40,000 gallons	5.09	<u>5.24</u>
	Per 1,000 gallons for next 50,000 gallons	4.70	<u>4.84</u>
	Per 1,000 gallons above 100,000 gallons	3.45	<u>3.55</u>
S-D	City of Fredonia, Kentucky		
	Minimum Charge for 1,000 gallons	3.45	<u>\$3.55</u>
	Per 1,000 gallons over 1,000 gallons	3.45	<u>3.55</u>

S-E	West Kentucky Farm Center		
	Minimum Charge for 1,000 gallons	3.45	<u>\$3.55</u>
	Per 1,000 gallons over 1,000 gallons	3.45	<u>3.55</u>
S-F	Business outside City Limits		
	Minimum Charge for 1,000 gallons	36.31	<u>\$37.40</u>
	Per 1,000 gallons for the next 8,000 gallons	5.59	<u>5.76</u>
	Per 1,000 gallons for next 40,000 gallons	5.09	<u>5.24</u>
	Per 1,000 gallons for next 50,000 gallons	4.70	<u>4.84</u>
	Per 1,000 gallons above 100,000 gallons	3.45	<u>3.55</u>

Sewer rate increases shall occur at the rate of 3% in year 2020, year 2022, year 2024, and year 2026. The increase shall take effect on July 1 of each year rate increase occurs.

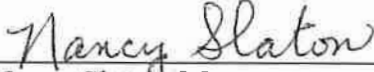
All ordinances or portions thereof hereby inconsistent with the amendments and herein are hereby repealed. All other provisions, both within the original ordinance and any amendments, not inconsistent with this ordinance are hereby reaffirmed.

This Ordinance governing rates shall be effective July 1, 2018.

First Reading May 7, 2018

Second Reading June 4, 2018

Published June 6, 2018



 Nancy Slaton, Mayor
 City of Eddyville, Kentucky

ATTEST:



 Lynn Orange
 City Clerk/Treasurer

EXHIBIT 6

**CITY OF EDDYVILLE, KENTUCKY
ORDINANCE 2020-06-01
WATER AND SEWER RATE ORDINANCE**

WHEREAS, the City of Eddyville, Kentucky on February 1, 2016 passed and adopted a City Ordinance pertaining to the rates, rules and regulations of the water and sewer system of the City of Eddyville, Kentucky; and

WHEREAS, certain changes and modifications of said Ordinance have become necessary due to changing times; and

WHEREAS, the cost of providing water and sewer services for the residents of the City of Eddyville, Kentucky has increased dramatically over the past few years; and

WHEREAS, the City of Eddyville, Kentucky must establish a rate to pay for maintenance and repairs to water and sewer system facilities;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Eddyville, Kentucky as follows:

1. The City Ordinance Section 51.087 and Section 51.088 be amended and the specified provisions of the sections shall hereinafter read as follows:

SECTION 51.087 RATES AND CHARGES FOR ORDINARY WATER SERVICE.

The rates and charges for ordinary water services shall be based upon a metered rate as follows:

W-1	Single Residence in City Limits		
	Minimum Charge for 2,000 gallons	23.93	<u>\$24.65</u>
	Per 1,000 gallons above 2,000 gallons	5.18	<u>5.34</u>
W-2	Double Residence in City Limits		
	Minimum Charge for 4,000 gallons	47.85	<u>\$49.29</u>
	Per 1,000 gallons above 4,000 gallons	5.18	<u>5.34</u>
W-3	Amber Village - Four Unit		
	Minimum Charge for 8,000 gallons	95.72	<u>\$98.60</u>
	Per 1,000 gallons above 8,000 gallons	5.18	<u>5.34</u>

W-4	Amber Village - Eight Unit		
	Minimum Charge for 16,000 gallons	191.44	<u>\$197.19</u>
	Per 1,000 gallons above 16,000 gallons	5.18	<u>5.34</u>
W-5	Fredonia, Kentucky		
	Minimum Charge for 1,000 gallons	3.97	\$ 4.09
	Per 1,000 gallons above 1,000 gallons	3.97	<u>4.09</u>
W-6	Housing Project - 101 Units		
	Minimum Charge for 202,000 gallons	2,416.82	<u>\$2,489.33</u>
	Per 1,000 gallons for next 101,000 gallons	5.18	<u>5.34</u>
	Per 1,000 gallons above 303,000 gallons	3.97	<u>4.09</u>
W-7	Single Residence outside City Limits		
	Minimum Charge for 2,000 gallons	28.42	<u>\$29.28</u>
	Per 1,000 gallons above 2,000 gallons	5.18	<u>5.34</u>
W-8	Double Residence outside City Limits		
	Minimum Charge for 4,000 gallons	56.84	<u>\$58.55</u>
	Per 1,000 gallons above 4,000 gallons	5.18	<u>5.34</u>
W-9	Business inside City Limits		
	Minimum Charge for 2,000 gallons	29.91	<u>\$30.81</u>
	Per 1,000 gallons for next 16,000 gallons	5.18	<u>5.34</u>
	Per 1,000 gallons for next 80,000 gallons	4.72	<u>4.87</u>
	Per 1,000 gallons for next 100,000 gallons	4.38	<u>4.52</u>
	Per 1,000 gallons above 200,000 gallons	3.97	<u>4.09</u>
W-A	Double Business in City Limits		
	Minimum Charge for 4,000 gallons	59.82	<u>\$61.61</u>
	Per 1,000 gallons for next 16,000 gallons	5.18	<u>5.34</u>
	Per 1,000 gallons for next 80,000 gallons	4.72	<u>4.87</u>
	Per 1,000 gallons for next 100,000 gallons	4.38	<u>4.52</u>
	Per 1,000 gallons above 200,000 gallons	3.97	<u>4.09</u>
W-B	Business Outside City Limits		
	Minimum Charge for 2,000 gallons	33.65	<u>\$34.66</u>
	Per 1,000 gallons for next 16,000 gallons	5.18	<u>5.34</u>
	Per 1,000 gallons for next 80,000 gallons	4.72	<u>4.87</u>
	Per 1,000 gallons for next 100,000 gallons	4.38	<u>4.52</u>
	Per 1,000 gallons above 200,000 gallons	3.97	<u>4.09</u>
W-C	Double Business Outside City Limits		
	Minimum Charge for 4,000 gallons	67.30	<u>\$69.32</u>
	Per 1,000 gallons for next 16,000 gallons	5.18	<u>5.34</u>
	Per 1,000 gallons for next 80,000 gallons	4.72	<u>4.87</u>

W-C	Double Business Outside City Limits-continued		
	Per 1,000 gallons for next 100,000 gallons	4.38	<u>4.52</u>
	Per 1,000 gallons above 200,000 gallons	3.97	<u>4.09</u>
W-D	Eddyville Swimming Pool/West Kentucky Farm Center/Lyon County Water District		
	Minimum Charge for 1,000 gallons	3.97	<u>\$4.09</u>
	Per 1,000 gallons over 1,000 gallons	3.97	<u>4.09</u>
W-E	Churches		
	Minimum Charge for 2,000 gallons	23.93	<u>\$24.65</u>
	Per 1,000 gallons above 2,000 gallons	5.18	<u>5.34</u>
W-F	Governmental Agencies		
	Minimum Charge for 2,000 gallons	29.91	<u>\$30.81</u>
	Per 1,000 gallons for next 8,000 gallons	5.18	<u>5.34</u>
	Per 1,000 gallons for next 40,000 gallons	4.72	<u>4.87</u>
	Per 1,000 gallons for next 50,000 gallons	4.38	<u>4.52</u>
	Per 1,000 gallons above 100,000 gallons	3.97	<u>4.09</u>

Water rate increases shall occur at the rate of 3% in year 2020, year 2022, year 2024, and year 2026. The increase shall take effect on July 1 of each year rate increase occurs.

Section 51.088 RATES AND CHARGES FOR SEWER SERVICE.

The rates and charges for sewer services shall be based upon water usage as follows:

S-1	Single Residence in City Limits		
	Minimum Charge for 2,000 gallons	26.58	<u>\$27.38</u>
	Per 1,000 gallons above 2,000 gallons	5.76	<u>5.94</u>
S-2	Double Residence in City Limits		
	Minimum Charge for 4,000 gallons	53.16	<u>\$54.76</u>
	Per 1,000 gallons above 4,000 gallons	5.76	<u>5.94</u>
S-3	Amber Village - Four Unit		
	Minimum Charge for 8,000 gallons	106.32	<u>\$109.51</u>
	Per 1,000 gallons above 8,000 gallons	5.76	<u>5.94</u>
S-4	Amber Village - Eight Unit		
	Minimum Charge for 16,000 gallons	212.64	<u>\$219.02</u>
	Per 1,000 gallons above 16,000 gallons	5.76	<u>5.94</u>

S-5	Flat Rate Charge - No Water		
	Minimum Charge	44.30	<u>\$45.63</u>
S-6	Housing Project - 101 Units		
	Minimum Charge for 202,000 gallons	2,684.60	<u>\$2,765.14</u>
	Per 1,000 gallons for next 101,000 gallons	5.76	<u>5.94</u>
	Per 1,000 gallons above 303,000 gallons	3.55	<u>3.66</u>
S-7	Single Residence outside City Limits		
	Minimum Charge for 2,000 gallons	31.57	<u>\$32.52</u>
	Per 1,000 gallons above 2,000 gallons	5.76	<u>5.94</u>
S-8	Double Residence outside City Limits		
	Minimum Charge for 4,000 gallons	63.14	<u>\$65.04</u>
	Per 1,000 gallons above 4,000 gallons	5.76	<u>5.94</u>
S-9	Business inside City Limits		
	Minimum Charge for 2,000 gallons	33.23	<u>\$34.23</u>
	Per 1,000 gallons for next 8,000 gallons	5.76	<u>5.94</u>
	Per 1,000 gallons for next 40,000 gallons	5.24	<u>5.40</u>
	Per 1,000 gallons for next 50,000 gallons	4.84	<u>4.99</u>
	Per 1,000 gallons above 100,000 gallons	3.55	<u>3.66</u>
S-A	Double Business in City Limits		
	Minimum Charge for 4,000 gallons	66.46	<u>\$68.46</u>
	Per 1,000 gallons for next 16,000 gallons	5.76	<u>5.94</u>
	Per 1,000 gallons for next 80,000 gallons	5.24	<u>5.40</u>
	Per 1,000 gallons for next 100,000 gallons	4.84	<u>4.99</u>
	Per 1,000 gallons above 200,000 gallons	3.55	<u>3.66</u>
S-B	Churches		
	Minimum Charge for 2,000 gallons	26.58	<u>\$27.38</u>
	Per 1,000 gallons above 2,000 gallons	5.76	<u>5.94</u>
S-C	Governmental Agencies		
	Minimum Charge for 2,000 gallons	33.23	<u>\$34.23</u>
	Per 1,000 gallons for next 8,000 gallons	5.76	<u>5.94</u>
	Per 1,000 gallons for next 40,000 gallons	5.24	<u>5.40</u>
	Per 1,000 gallons for next 50,000 gallons	4.84	<u>4.99</u>
	Per 1,000 gallons above 100,000 gallons	3.55	<u>3.66</u>
S-D	City of Fredonia, Kentucky		
	Minimum Charge for 1,000 gallons	3.55	<u>\$3.66</u>
	Per 1,000 gallons over 1,000 gallons	3.55	<u>3.66</u>

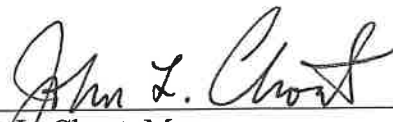
S-E	West Kentucky Farm Center		
	Minimum Charge for 1,000 gallons	3.55	<u>\$3.66</u>
	Per 1,000 gallons over 1,000 gallons	3.55	<u>3.66</u>
S-F	Business outside City Limits		
	Minimum Charge for 1,000 gallons	37.40	<u>\$38.52</u>
	Per 1,000 gallons for the next 8,000 gallons	5.76	<u>5.94</u>
	Per 1,000 gallons for next 40,000 gallons	5.24	<u>5.40</u>
	Per 1,000 gallons for next 50,000 gallons	4.84	<u>4.99</u>
	Per 1,000 gallons above 100,000 gallons	3.55	<u>3.66</u>

Sewer rate increases shall occur at the rate of 3% in year 2020, year 2022, year 2024, and year 2026. The increase shall take effect on July 1 of each year rate increase occurs.

All ordinances or portions thereof hereby inconsistent with the amendments and herein are hereby repealed. All other provisions, both within the original ordinance and any amendments, not inconsistent with this ordinance are hereby reaffirmed.

This Ordinance governing rates shall be effective July 1, 2020.

First Reading June 1, 2020
Second Reading June 22, 2020
Published June 24, 2020



John L. Choat, Mayor
City of Eddyville, Kentucky

ATTEST:



Lynn Orange
City Clerk/Treasurer

EXHIBIT 7

**CITY OF EDDYVILLE, KENTUCKY
ORDINANCE 2022-05-02
WATER AND SEWER RATE ORDINANCE**

WHEREAS, the City of Eddyville, Kentucky on February 1, 2016 passed and adopted a City Ordinance pertaining to the rates, rules and regulations of the water and sewer system of the City of Eddyville, Kentucky; and

WHEREAS, certain changes and modifications of said Ordinance have become necessary due to changing times; and

WHEREAS, the cost of providing water and sewer services for the residents of the City of Eddyville, Kentucky has increased dramatically over the past few years; and

WHEREAS, the City of Eddyville, Kentucky must establish a rate to pay for maintenance and repairs to water and sewer system facilities;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Eddyville, Kentucky as follows:

1. The City Ordinance Section 51.087 and Section 51.088 be amended and the specified provisions of the sections shall hereinafter read as follows:

SECTION 51.087 RATES AND CHARGES FOR ORDINARY WATER SERVICE.

The rates and charges for ordinary water services shall be based upon a metered rate as follows:

W-1	Single Residence in City Limits		
	Minimum Charge for 2,000 gallons	24.65	<u>25.39</u>
	Per 1,000 gallons above 2,000 gallons	5.34	<u>5.50</u>
W-2	Double Residence in City Limits		
	Minimum Charge for 4,000 gallons	49.29	<u>50.77</u>
	Per 1,000 gallons above 4,000 gallons	5.34	<u>5.50</u>
W-3	Amber Village - Four Unit		
	Minimum Charge for 8,000 gallons	98.60	<u>101.56</u>
	Per 1,000 gallons above 8,000 gallons	5.34	<u>5.50</u>

W-4	Amber Village - Eight Unit		
	Minimum Charge for 16,000 gallons	197.19	<u>203.11</u>
	Per 1,000 gallons above 16,000 gallons	5.34	<u>5.50</u>
W-5	Fredonia, Kentucky		
	Minimum Charge for 1,000 gallons	4.09	<u>4.22</u>
	Per 1,000 gallons above 1,000 gallons	4.09	<u>4.22</u>
W-6	Housing Project - 101 Units		
	Minimum Charge for 202,000 gallons	2,489.33	<u>2,564.01</u>
	Per 1,000 gallons for next 101,000 gallons	5.34	<u>5.50</u>
	Per 1,000 gallons above 303,000 gallons	4.09	<u>4.22</u>
W-7	Single Residence outside City Limits		
	Minimum Charge for 2,000 gallons	29.28	<u>30.16</u>
	Per 1,000 gallons above 2,000 gallons	5.34	<u>5.50</u>
W-8	Double Residence outside City Limits		
	Minimum Charge for 4,000 gallons	58.55	<u>60.31</u>
	Per 1,000 gallons above 4,000 gallons	5.34	<u>5.50</u>
W-9	Business inside City Limits		
	Minimum Charge for 2,000 gallons	30.81	<u>31.74</u>
	Per 1,000 gallons for next 16,000 gallons	5.34	<u>5.50</u>
	Per 1,000 gallons for next 80,000 gallons	4.87	<u>5.02</u>
	Per 1,000 gallons for next 100,000 gallons	4.52	<u>4.66</u>
	Per 1,000 gallons above 200,000 gallons	4.09	<u>4.22</u>
W-A	Double Business in City Limits		
	Minimum Charge for 4,000 gallons	61.61	<u>63.46</u>
	Per 1,000 gallons for next 16,000 gallons	5.34	<u>5.50</u>
	Per 1,000 gallons for next 80,000 gallons	4.87	<u>5.02</u>
	Per 1,000 gallons for next 100,000 gallons	4.52	<u>4.66</u>
	Per 1,000 gallons above 200,000 gallons	4.09	<u>4.22</u>
W-B	Business Outside City Limits		
	Minimum Charge for 2,000 gallons	34.66	<u>35.70</u>
	Per 1,000 gallons for next 16,000 gallons	5.34	<u>5.50</u>
	Per 1,000 gallons for next 80,000 gallons	4.87	<u>5.02</u>
	Per 1,000 gallons for next 100,000 gallons	4.52	<u>4.66</u>
	Per 1,000 gallons above 200,000 gallons	4.09	<u>4.22</u>
W-C	Double Business Outside City Limits		
	Minimum Charge for 4,000 gallons	69.32	<u>71.40</u>
	Per 1,000 gallons for next 16,000 gallons	5.34	<u>5.50</u>
	Per 1,000 gallons for next 80,000 gallons	4.87	<u>5.02</u>

W-C	Double Business Outside City Limits-continued		
	Per 1,000 gallons for next 100,000 gallons	4.52	<u>4.66</u>
	Per 1,000 gallons above 200,000 gallons	4.09	<u>4.22</u>
W-D	Eddyville Swimming Pool/West Kentucky Farm Center/Lyon County Water District		
	Minimum Charge for 1,000 gallons	4.09	<u>4.22</u>
	Per 1,000 gallons over 1,000 gallons	4.09	<u>4.22</u>
W-E	Churches		
	Minimum Charge for 2,000 gallons	24.65	<u>25.39</u>
	Per 1,000 gallons above 2,000 gallons	5.34	<u>5.50</u>
W-F	Governmental Agencies		
	Minimum Charge for 2,000 gallons	30.81	<u>31.74</u>
	Per 1,000 gallons for next 8,000 gallons	5.34	<u>5.50</u>
	Per 1,000 gallons for next 40,000 gallons	4.87	<u>5.02</u>
	Per 1,000 gallons for next 50,000 gallons	4.52	<u>4.66</u>
	Per 1,000 gallons above 100,000 gallons	4.09	<u>4.22</u>

Water rate increases shall occur at the rate of 3% in year 2020, year 2022, year 2024, and year 2026. The increase shall take effect on July 1 of each year rate increase occurs.

Section 51.088 RATES AND CHARGES FOR SEWER SERVICE.

The rates and charges for sewer services shall be based upon water usage as follows:

S-1	Single Residence in City Limits		
	Minimum Charge for 2,000 gallons	27.38	<u>28.21</u>
	Per 1,000 gallons above 2,000 gallons	5.94	<u>6.12</u>
S-2	Double Residence in City Limits		
	Minimum Charge for 4,000 gallons	54.76	<u>56.41</u>
	Per 1,000 gallons above 4,000 gallons	5.94	<u>6.12</u>
S-3	Amber Village - Four Unit		
	Minimum Charge for 8,000 gallons	109.51	<u>112.80</u>
	Per 1,000 gallons above 8,000 gallons	5.94	<u>6.12</u>
S-4	Amber Village - Eight Unit		
	Minimum Charge for 16,000 gallons	219.02	<u>225.59</u>
	Per 1,000 gallons above 16,000 gallons	5.94	<u>6.12</u>

S-5	Flat Rate Charge - No Water Minimum Charge	45.63	<u>47.00</u>
S-6	Housing Project - 101 Units Minimum Charge for 202,000 gallons Per 1,000 gallons for next 101,000 gallons Per 1,000 gallons above 303,000 gallons	2,765.14 5.94 3.66	<u>2,848.10</u> <u>6.12</u> <u>3.77</u>
S-7	Single Residence outside City Limits Minimum Charge for 2,000 gallons Per 1,000 gallons above 2,000 gallons	32.52 5.94	<u>33.50</u> <u>6.12</u>
S-8	Double Residence outside City Limits Minimum Charge for 4,000 gallons Per 1,000 gallons above 4,000 gallons	65.04 5.94	<u>67.00</u> <u>6.12</u>
S-9	Business inside City Limits Minimum Charge for 2,000 gallons Per 1,000 gallons for next 8,000 gallons Per 1,000 gallons for next 40,000 gallons Per 1,000 gallons for next 50,000 gallons Per 1,000 gallons above 100,000 gallons	34.23 5.94 5.40 4.99 3.66	<u>35.26</u> <u>6.12</u> <u>5.57</u> <u>5.14</u> <u>3.77</u>
S-A	Double Business in City Limits Minimum Charge for 4,000 gallons Per 1,000 gallons for next 16,000 gallons Per 1,000 gallons for next 80,000 gallons Per 1,000 gallons for next 100,000 gallons Per 1,000 gallons above 200,000 gallons	68.46 5.94 5.40 4.99 3.66	<u>70.52</u> <u>6.12</u> <u>5.57</u> <u>5.14</u> <u>3.77</u>
S-B	Churches Minimum Charge for 2,000 gallons Per 1,000 gallons above 2,000 gallons	27.38 5.94	<u>28.21</u> <u>6.12</u>
S-C	Governmental Agencies Minimum Charge for 2,000 gallons Per 1,000 gallons for next 8,000 gallons Per 1,000 gallons for next 40,000 gallons Per 1,000 gallons for next 50,000 gallons Per 1,000 gallons above 100,000 gallons	34.23 5.94 5.40 4.99 3.66	<u>35.26</u> <u>6.12</u> <u>5.57</u> <u>5.14</u> <u>3.77</u>
S-D	City of Fredonia, Kentucky Minimum Charge for 1,000 gallons Per 1,000 gallons over 1,000 gallons	3.66 3.66	<u>3.77</u> <u>3.77</u>

S-E	West Kentucky Farm Center		
	Minimum Charge for 1,000 gallons	3.66	<u>3.77</u>
	Per 1,000 gallons over 1,000 gallons	3.66	<u>3.77</u>
S-F	Business outside City Limits		
	Minimum Charge for 1,000 gallons	38.52	<u>39.68</u>
	Per 1,000 gallons for the next 8,000 gallons	5.94	<u>6.12</u>
	Per 1,000 gallons for next 40,000 gallons	5.40	<u>5.57</u>
	Per 1,000 gallons for next 50,000 gallons	4.99	<u>5.14</u>
	Per 1,000 gallons above 100,000 gallons	3.66	<u>3.77</u>

Sewer rate increases shall occur at the rate of 3% in year 2020, year 2022, year 2024, and year 2026. The increase shall take effect on July 1 of each year rate increase occurs.

All ordinances or portions thereof hereby inconsistent with the amendments and herein are hereby repealed. All other provisions, both within the original ordinance and any amendments, not inconsistent with this ordinance are hereby reaffirmed.

This Ordinance governing rates shall be effective July 1, 2022.

First Reading May 2, 2022

Second Reading _____

Published _____

John L. Choat, Mayor
City of Eddyville, Kentucky

ATTEST:

Linda Greene-Williams
City Clerk/Treasurer

**CITY OF EDDYVILLE, KENTUCKY
ORDINANCE 2022-05-02B
WATER AND SEWER RATE ORDINANCE**

WHEREAS, the City of Eddyville, Kentucky on February 1, 2016 passed and adopted a City Ordinance pertaining to the rates, rules and regulations of the water and sewer system of the City of Eddyville, Kentucky; and

WHEREAS, certain changes and modifications of said Ordinance have become necessary due to changing times; and

WHEREAS, the cost of providing water and sewer services for the residents of the City of Eddyville, Kentucky has increased dramatically over the past few years; and

WHEREAS, the City of Eddyville, Kentucky must establish a rate to pay for maintenance and repairs to water and sewer system facilities;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Eddyville, Kentucky as follows:

1. The City Ordinance Section 51.087 and Section 51.088 be amended and the specified provisions of the sections shall hereinafter read as follows:

SECTION 51.087 RATES AND CHARGES FOR ORDINARY WATER SERVICE.

The rates and charges for ordinary water services shall be based upon a metered rate as follows:

W-1	Single Residence in City Limits		
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	Minimum Charge for 4,000 gallons	49.29	<u>50.77</u>
	Per 1,000 gallons above 4,000 gallons	5.34	<u>5.50</u>
W-3	Amber Village - Four Unit		
	Minimum Charge for 8,000 gallons	98.60	<u>101.56</u>
	Per 1,000 gallons above 8,000 gallons	5.34	<u>5.50</u>

W-4	Amber Village - Eight Unit		
	Minimum Charge for 16,000 gallons	197.19	<u>203.11</u>
	Per 1,000 gallons above 16,000 gallons	5.34	<u>5.50</u>
W-5	Fredonia, Kentucky		
	Minimum Charge for 1,000 gallons	4.09	<u>4.22</u>
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W-6	Housing Project - 101 Units		
	Minimum Charge for 202,000 gallons	2,489.33	<u>2,564.01</u>
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S-E	West Kentucky Farm Center		
	Minimum Charge for 1,000 gallons	3.66	<u>3.77</u>
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S-F	Business outside City Limits		
	Minimum Charge for 1,000 gallons	38.52	<u>39.68</u>
	Per 1,000 gallons for the next 8,000 gallons	5.94	<u>6.12</u>
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	Per 1,000 gallons for next 50,000 gallons	4.99	<u>5.14</u>
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Sewer rate increases shall occur at the rate of 3% in year 2020, year 2022, year 2024, and year 2026. The increase shall take effect on July 1 of each year rate increase occurs.

All ordinances or portions thereof hereby inconsistent with the amendments and herein are hereby repealed. All other provisions, both within the original ordinance and any amendments, not inconsistent with this ordinance are hereby reaffirmed.

This Ordinance governing rates shall be effective July 1, 2022.

First Reading May 2, 2022

Second Reading _____

Published _____

John L. Choat, Mayor
City of Eddyville, Kentucky

ATTEST:

Linda Greene-Williams
City Clerk/Treasurer