

COMMONWEALTH OF KENTUCKY BEFORE
THE PUBLIC SERVICE COMMISSION

In the Matter of:

KIRKSVILLE WATER ASSOCIATION, INC.)	
AND ITS INDIVIDUAL DIRECTORS, ARMON SANDERS,)	
WAYNE LONG, ALFRED WINKLER, RANDAL WEBB,)	CASE NO.
AND BOBBY POWELL, AND MANAGER MIKE AGEE)	2022-00197
ALLEGED FAILURE TO COMPLY)	
WITH KRS 278.300 AND KRS 278.020)	

MOTION TO EXCUSE THE ABSENCE
OF MIKE AGEE, RANDAL WEBB AND ARMON SANDERS
FROM THE PUBLIC SERVICE COMMISSION HEARING
OF JULY 6TH, 2023

Comes now Kirksville Water Association, by counsel, and for its motion to excuse the absence of Mike Agee, Randal Webb and Armon Sanders and states as follows:

Randal Webb is no longer a board member of Kirksville Water Association. Board members serve elected terms and Mr. Webb was not re-elected in the 2022 election. Attached to this filing as Exhibit A are the minutes from the last election providing proof that he was not re-elected as a Kirksville Water Association Board Member.

Mike Agee's employment with Kirksville Water Association ended on June 1st, 2023. Attached to this filing as Exhibit B are the minutes from the meeting in which his employment ended.

Armon Sanders is 87 years old and suffering from cancer. He informed counsel the day before the hearing he was scheduled for radiation and counsel made the decision that based on his ill health and the importance of his radiation treatment to have him attend his treatment rather than the hearing. Counsel can supplement the record with an affidavit from Mr. Sanders or a medical record to substantiate the illness should the Commission require such proof and will

wait further direction on what, if any, further evidence needs to be provided related to Mr. Sanders.

WHEREFORE, Kirksville Water Association, by counsel, requests it be excused from failing to produce Mike Agee, Randal Webb and Armon Sanders for the hearing and be provided guidance on what responsibility it has going forward to produce Randal Webb or Mike Agee for further hearings or proceedings in front of the Commission.

Respectfully submitted,
Jud Patterson
Jud Patterson
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