

DISTRIBUTION LIST

**RE: ELECTRONIC APPLICATION OF THE HARRISON COUNTY WATER ASSOCIATION, INC.
REQUEST FOR A CERTIFICATE OF PUBLIC NEED AND CONVENIENCE OR ALTERNATIVELY
A DECLARATORY ORDER ESTABLISHING THAT A CERTIFICATE OF PUBLIC NEED AND
CONVENIENCE IS NOT NECESSARY AS TO A KY DOT RELOCATE PROJECT (KY 353),
PURSUANT TO 501 KAR 5:001(15) &/OR 501 KAR 5:001(19).**

CASE NUMBER 2023- 00006

**KENTUCKY PUBLIC SERVICE COMMISSION (KPSC)
FRANKFORT, KENTUCKY 40601
*Filed electronically and hard copy to KPSC***

**HCWA, Inc.
Attn: Mr. Nathan Fields
P.O. Box 215
Cynthiana, Kentucky 41031**

**Jesse Melcher Law Office, PLLC
Attn: Mr. Jesse P. Melcher, Esq.
P.O. Box 345
Mount Olivet, Kentucky 41064**

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- B. PAGE TWO TO THREE (2-3).....APPLICATION INFORMATION**
 - i.Project Information-U.S. 460 relocate**
 - ii.Engineering specifications**
- C. PAGE FOUR (4).....CERTIFICATION SIGNATURES**

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

**ELECTRONIC APPLICATION OF THE HARRISON COUNTY WATER ASSOCIATION, INC.
REQUEST FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, PURSUANT
TO KRS. 278.020 OR ALTERNATIVELY A DECLARATORY ORDER ESTABLISHING THAT A
CERTIFICATE OF PUBLIC NEED AND CONVENIENCE IS NOT NECESSARY, PURSUANT TO
KRS. 278.020 AND 807 KAR 5:001(15 &/OR 19)**

CASE NUMBER 2023-00006

Comes now the Harrison County Water Association, Inc., (HCWA) by and through their president of the board of directors, Mr. J. Frank Marsh, and the manager, Mr. Nathan Fields, and through counsel, Mr. Jesse P. Melcher, Esq. and hereby requests an Order approving a certificate of necessity and convenience (CPCN) for a water line relocate on US. 460, due to Kentucky Department of Transportation (KY DOT), enlarging the road of US. 460 in Bourbon County, near intersection of KY 353 and U.S. 460, requiring a relocate of @ 940 feet of water line distribution main.

As grounds for this request, the Harrison County Water Association, Inc. (HCWA), does hereby establish as follows:

- A. HCWA has been requested to relocate approximately 940 feet of water line main distribution along KY 353, near the intersection of US 460 in Bourbon County, Kentucky, KYTC project number 07-8705.0, due to expansion of US 460 and KY 353.
- B. HCWA out of abundance of caution and due to lack of clarity as to whether a relocate falls within the exceptions of a "...extension in the normal course of business..."; or is a "...project improvement" that does not required financing that requires PSC approval, and the project will not lead to an increase in rates to customers; meeting the exception of no CPNC if the water association is a Class A utility, which HCWA, satisfies. See. KRS 278.020; PSC website, utility search, utility number 34200.
- C. HCWA was recently ordered by PSC before May 20, 2022 to file a request for a general rate increase, or an alternate rate increase or a motion requesting why such increase is not necessary with a detailed explanation, pursuant to the Order of the pass through rate in case no. 2022-00354.

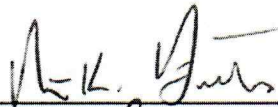
- D. HCWA, has been presented with a contrast from KY DOT for a relocate project of reimbursement up to \$254,182.01, to be reimbursed upon proper presentation of bills and expenses, with HCWA to front the costs and be reimbursed by KY DOT, with all cost overruns to be possible reimbursed by KY DOT, if deemed necessary.
- E. HCWA is concerned due to interpretations of statutory language as it relates to a relocate project and applicable exemptions for utilities and/or associations to necessitate a CPNC for a water line relocate, pursuant to KRS 278.020, coupled with the PSC Order requiring a possible rate increase in the future, although unrelated to the project, pursuant to the referenced Order; that this application be filed to obtain a CPCN, pursuant to 807 KAR 5:001(15), or an declaratory Order pursuant to 807 KAR 5:001(19), that a CPCN is not needed to eliminate any future concerns as to the application of a CPCN for this relocate project.
- F. The project has been engineered by Strand Associates, Inc., which has established a engineering project plan, which is attached hereto and fully incorporated herein. *See. Exhibit "A"*.

Wherefore, HCWA requests that PSC enter an Order approving a CPCN for the US. 460 relocate project as stated and provided for herein, pursuant to KRS 278.020 AND 807 KAR 5:001(15) or alternatively issue a declaratory Order, pursuant 807 KAR 5:001(19) and KRS 278.020, that a CPCN is not needed for the relocate project.

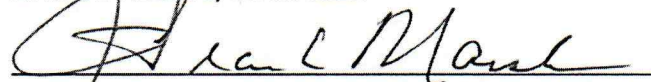
- G. The project is a main distribution line, which connects to one of its suppliers, Kentucky American Water, and is on the boundary of its and Kentucky American Water's boundary lines of territory.

CERTIFICATION

We, J. Frank Marsh, President/Board Chairman, and Nathan Fields, Manager, for the Harrison County Water Association, Inc., hereby certify that we have read over the foregoing request for a Certificate of Public Convenience and Necessity, to the Kentucky Public Service Commission, and that all averments and statements herein are true and accurate to the best of our knowledge and belief.



NATHAN FIELDS, MANAGER



J. FRANK MARSH, PRESIDENT/BOARD CHAIRMAN

We, Heather Russell (print name) and Tracy Brinkmeyer (print name) as two witnesses, state that Nathan Fields, and J. Frank Marsh, did in our presence execute their signatures, and affirm and acknowledge its application, concerning HCWA's request for a CPCN or a declaratory order not requiring a CPCN, this the _____ day of January, 2023.

Heather Russell

WITNESS # 1 (Print Name) Heather Russell

Tracy M Brinkmeyer

WITNESS # 2 (Print Name) Tracy M Brinkmeyer

COMMONWEALTH OF KENTUCKY
COUNTY OF Harrison

I, JESSE P. MELCHER, being a Notary Public in the State of Kentucky at Large, do hereby state that J. Frank Marsh, President of the Harrison County Water Association, Inc. and Nathan Fields, manager, who are both personally known to me, have signed, sworn, and acknowledged before me this the 5th day of January, 2023

Jesse P. Melcher
NOTARY PUBLIC, STATE OF KY AT LARGE

1-15-2023
MY COMMISSION EXPIRES:

Notary in course

Respectfully submitted,

Jesse P. Melcher
HARRISON COUNTY WATER ASSOCIATION, INC.
ATTORNEY

JESSE MELCHER LAW OFFICE, PLLC

MR. JESSE P. MELCHER, ESQ.

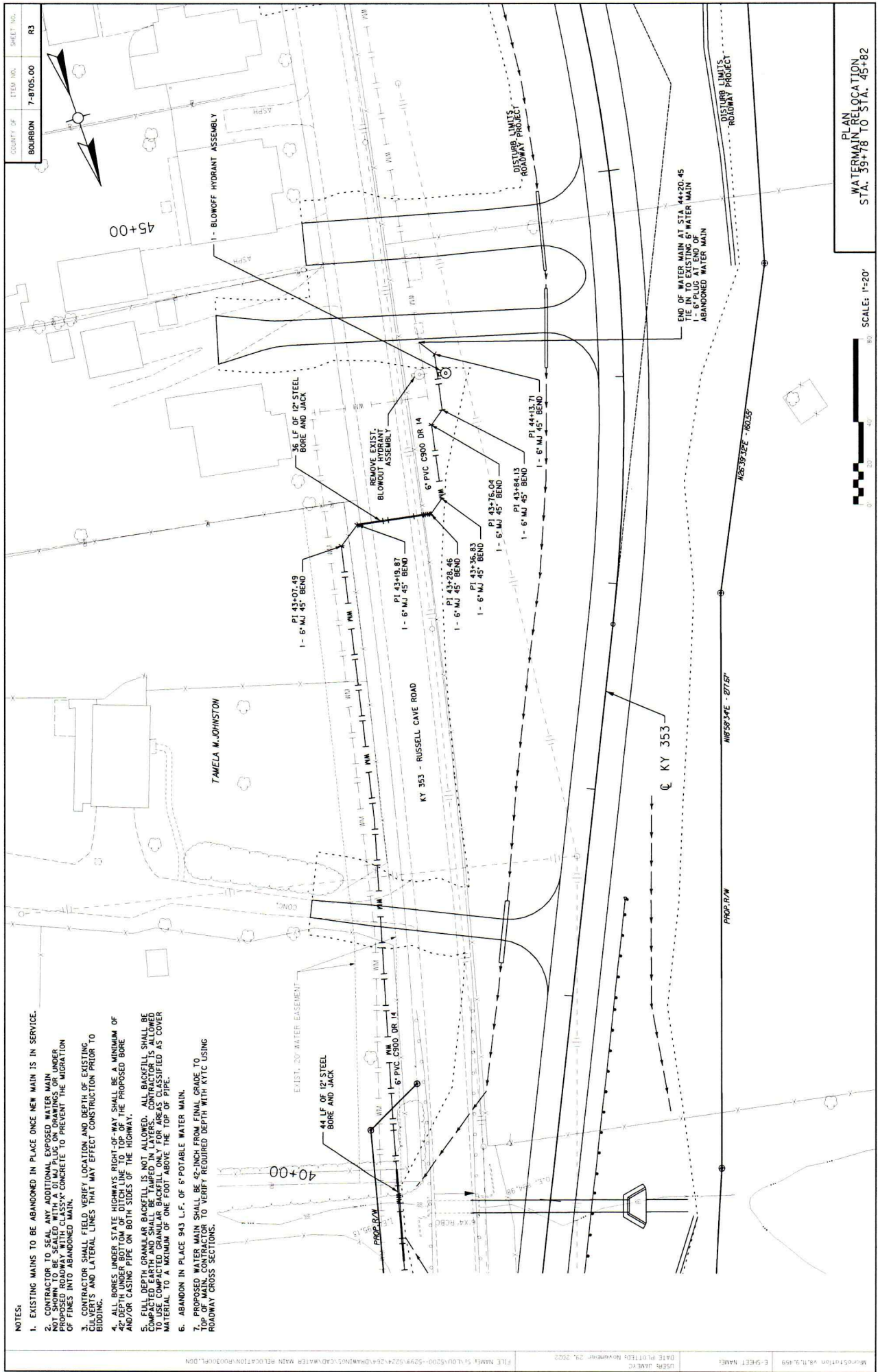
P.O. BOX 345

MOUNT OLIVET, KY 41064

606-724-5322 (phone)

606-724-2612 (fax)

jpmecher@yahoo.com



- NOTES:
- EXISTING MAINS TO BE ABANDONED IN PLACE ONCE NEW MAIN IS IN SERVICE.
 - CONTRACTOR TO SEAL ANY ADDITIONAL EXPOSED WATER MAIN NOT SHOWN TO BE SEALED WITH A 6" M.J. PLUG ON DRAWINGS OR UNDER OF FINES INTO ABANDONED MAIN.
 - CONTRACTOR SHALL FIELD VERIFY LOCATION AND DEPTH OF EXISTING CULVERTS AND LATERAL LINES THAT MAY AFFECT CONSTRUCTION PRIOR TO BIDDING.
 - ALL BORES UNDER STATE HIGHWAYS RIGHT-OF-WAY SHALL BE A MINIMUM OF 42" DEPTH UNDER BOTTOM OF DITCH LINE TO TOP OF THE PROPOSED BORE AND/OR CASING PIPE ON BOTH SIDES OF THE HIGHWAY.
 - FULL DEPTH GRANULAR BACKFILL IS NOT ALLOWED. ALL BACKFILL SHALL BE 3/4" MAXIMUM SIZE GRANULAR BACKFILL ONLY FOR AREAS CLASSIFIED AS COVER MATERIAL TO A MINIMUM OF ONE FOOT ABOVE THE TOP OF PIPE.
 - ABANDON IN PLACE 943 L.F. OF 6" POTABLE WATER MAIN.
 - PROPOSED WATER MAIN SHALL BE 42" INCH FROM FINAL GRADE TO TOP OF CASING PIPE TO VERIFY REQUIRED DEPTH WITH KYTC USING ROADWAY CROSS SECTIONS.

SCALE: 1"=20'

PLAN
WATER MAIN RELOCATION
STA. 39+78 TO STA. 45+82

COUNTY OF	ITEM NO.	SHEET NO.
BOURBON	7-8705.00	R3



COORDINATE SYSTEM

Coordinates for horizontal control were obtained from GPS methods and adjusted to the National NAD83/EBN System.

Coordinates are based on State Plane Coordinate System Single Zone and in U.S. Survey Feet.

No project Grid Factor was used for this project.

BASIS OF ELEVATIONS

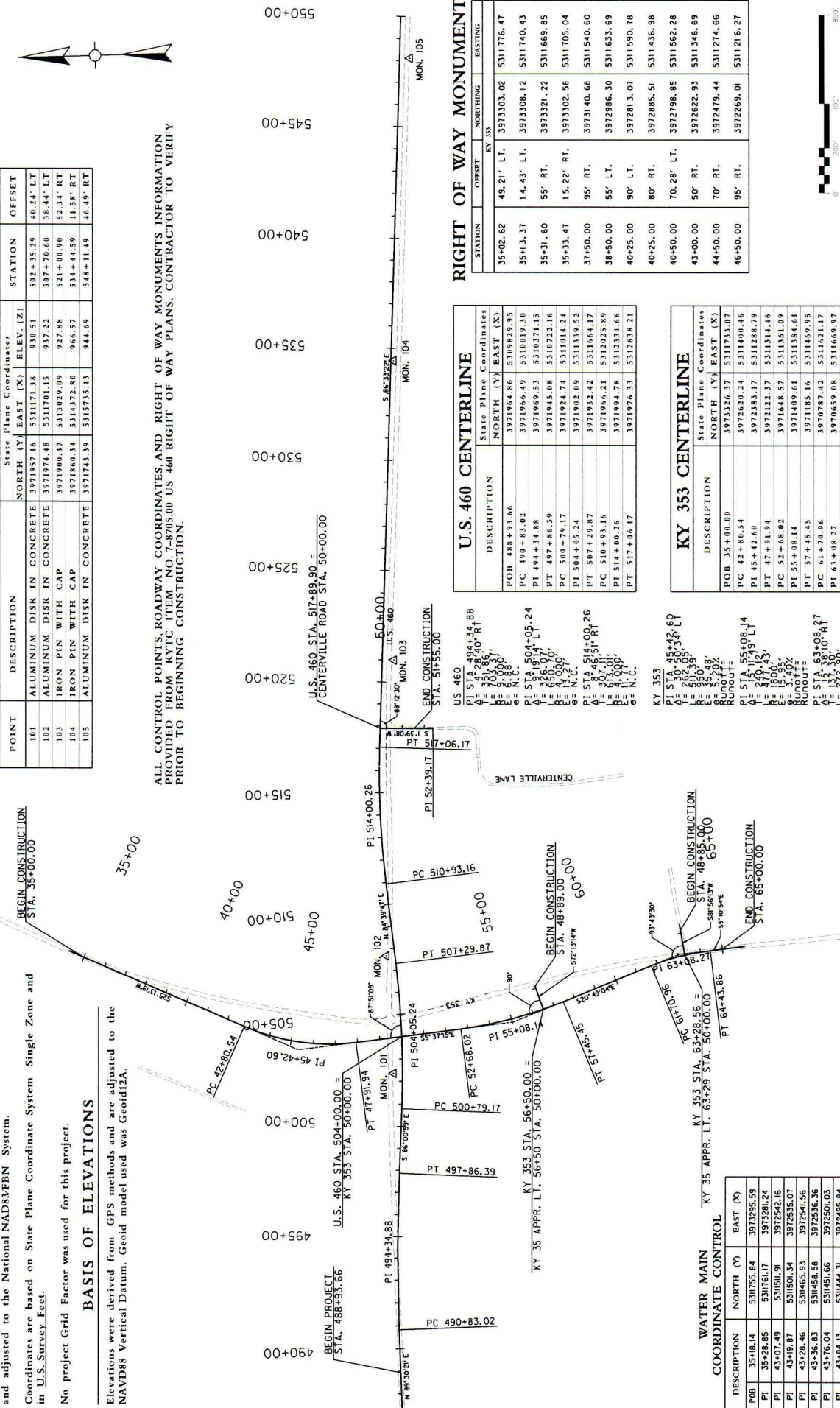
Elevations were derived from GPS methods and are adjusted to the NAVD88 Vertical Datum. Geoid model used was Geoid12A.

CONTROL POINTS

POINT	DESCRIPTION	State Plane Coordinates			STATION	OFFSET
		NORTH (N)	EAST (E)	ELEV. (Z)		
101	ALUMINUM DISK IN CONCRETE	3971957.16	531171.38	930.51	502+35.39	40.24' LT
102	ALUMINUM DISK IN CONCRETE	3971974.48	531170.15	937.22	507+70.60	38.44' LT
103	IRON PIN WITH CAP	3971900.37	5311029.09	927.88	511+00.90	52.34' RT
104	IRON PIN WITH CAP	3971860.34	531372.80	966.37	534+41.59	11.58' RT
105	ALUMINUM DISK IN CONCRETE	3971743.39	531573.13	944.69	548+11.49	46.49' RT

COUNTY OF	ITEM NO.	SHEET NO.
BOURBON	7-8705.00	R4

ALL CONTROL POINTS, ROADWAY COORDINATES, AND RIGHT OF WAY MONUMENTS INFORMATION PROVIDED FROM KYTC ITEM NO. 7-8705.00 US 460 RIGHT OF WAY PLANS. CONTRACTOR TO VERIFY PRIOR TO BEGINNING CONSTRUCTION.



U.S. 460 CENTERLINE

DESCRIPTION	State Plane Coordinates		
	NORTH (N)	EAST (E)	X
POB 488+93.66	3971964.86	5310929.95	
PC 490+83.02	3971966.49	5310019.30	
PT 494+34.88	3971966.53	5310371.15	
PI 497+86.39	3971945.08	5310722.16	
PC 500+79.17	3971924.74	5311014.24	
PT 504+05.24	3971902.09	5311359.52	
PI 507+29.87	3971932.42	5311664.17	
PC 510+93.16	3971966.21	5312025.89	
PT 514+00.26	3971994.78	5312331.66	
PI 517+06.17	3971976.33	5312638.21	

KY 353 CENTERLINE

DESCRIPTION	State Plane Coordinates		
	NORTH (N)	EAST (E)	X
POB 35+00.00	3973326.37	5311733.07	
PC 42+80.34	3972620.24	5311400.46	
PT 45+42.60	3972383.17	5311288.79	
PI 47+91.94	3972122.37	5311314.46	
PC 52+68.02	3971648.57	5311361.09	
PT 55+08.14	3971409.61	5311384.61	
PI 57+45.45	3971185.16	5311449.85	
PC 61+70.96	3970287.42	5311621.17	
PT 63+08.27	3970659.08	5311669.97	
PI 64+43.86	3970522.34	5311682.37	
POE 65+00.00	3970466.44	5311687.44	

RIGHT OF WAY MONUMENTS

STATION	OFFSET	NORTHING		EASTING
		BY 353	BY 460	
35+02.62	49.21' LT.	3973303.02	5311776.47	
35+13.37	14.43' LT.	3973308.12	5311740.43	
35+31.60	55' RT.	3973321.22	5311669.85	
35+33.47	15.22' RT.	3973302.58	5311705.04	
37+50.00	95' RT.	3973140.68	5311540.60	
38+50.00	55' LT.	3972986.30	5311633.69	
40+25.00	90' LT.	3972813.07	5311590.78	
40+25.00	80' RT.	3972885.51	5311436.98	
40+50.00	70.28' LT.	3972798.85	5311562.28	
43+00.00	50' RT.	3972622.93	5311346.69	
44+50.00	70' RT.	3972479.44	5311274.66	
46+50.00	95' RT.	3972269.01	5311216.27	

WATER MAIN COORDINATE CONTROL

DESCRIPTION	NORTH (N)	EAST (E)
PI	531161.17	3973281.24
PI	531191.91	3972542.16
PI	531601.34	3972535.07
PI	53128.46	3972541.56
PI	531456.58	3972536.36
PI	531456.58	3972503.03
PI	531444.31	397295.84
PI	531439.12	397269.34
POE	531444.49	397246.36

WATER MAIN ALIGNMENT CONTROL COORDINATE CONTROL RIGHT OF WAY MONUMENTS

SCALE: 1"=200'

COUNTY OF: BOONVILLE

ITEM NO.: 7-B105.00

SHEET NO.: RS

NOTES:

- ALL VALVES IN METER SETTING
- 2" DIA. 3/4" WATER METER
- COPPER METER SETTER W/OUTLET EXTENDED
- 1" SERVICE TUBING
- NO. 10 GAL. 1/2" DIA. 1/4" THICK
- NO. 10 GAL. 1/2" DIA. 1/4" THICK
- NO. 10 GAL. 1/2" DIA. 1/4" THICK
- MAIN (TRIPPER) OR BORE & JACK (UNDER ROAD)
- UNDER PAY ITEM SERVICE LINE 1-1/2" DIA.
- 1" CORPORATION STOP
- COMPLETE AND IN PLACE
- UNCLASSIFIED EXCAVATION AND BACKFILL
- COMPLETE AND IN PLACE
- 42 INCHES BELOW SURFACE FOR ALL CROSSINGS.

TYPICAL METER SETTING
NOT TO SCALE

NOTE:

- NO EXTRA PAY ALLOWED FOR CONC. ON THE INVERT OF THE DITCH.
- CONC. WHICH IS REQUIRED IN TRAFFIC LOCATIONS SHALL BE MARKED "WATER COVER" TO BE MARKED "WATER COVER".
- VALVE BOX SHALL NOT BEAR DIRECTLY ON THE PIPE OR VALVE.
- CONCRETE PAD SHALL BE REQUIRED ON ALL VALVES.
- CONC. PAD SHALL BE MECHANICALLY COMPACTED.

TYPICAL FIRE OR BLOWOFF HYDRANT DETAIL
NOT TO SCALE

NOTE:

- ALL MECHANICALLY TAMPED BACKFILL SHALL BE ANCHORING TYPE - TYP.
- CONCRETE BACKFILL TO BE MECHANICALLY TAMPED. DEPTH OF TAMPING TO BE DETERMINED BY SIZE OF TAMPING COMPANY.

TYPICAL VALVE BOX
NOT TO SCALE

NOTE:

- NO EXTRA PAY ALLOWED FOR CONC. ON THE INVERT OF THE DITCH.
- CONC. WHICH IS REQUIRED IN TRAFFIC LOCATIONS SHALL BE MARKED "WATER COVER" TO BE MARKED "WATER COVER".
- VALVE BOX SHALL NOT BEAR DIRECTLY ON THE PIPE OR VALVE.
- CONCRETE PAD SHALL BE REQUIRED ON ALL VALVES.
- CONC. PAD SHALL BE MECHANICALLY COMPACTED.

TYPICAL HIGHWAY BORE DETAIL
NOT TO SCALE

TYPICAL DETAIL OF WATER MAIN
LOCATED PARALLEL TO AND WITHIN RIGHT-OF-WAY

LOCATION CONDITION 'A': PROPOSED WATER MAIN SHALL BE LOCATED ADJACENT TO THE EXISTING RIGHT-OF-WAY FENCE LINE AND AS CLOSE TO SAID FENCE LINE AS PRACTICALLY CONSTRUCTIBLE. PROVIDE 36" (min.) OF COVER.

LOCATION CONDITION 'B': NECESSARY TO INSTALL PROPOSED WATER MAIN ON EXISTING SLOPE, THE CONTRACTOR SHALL CUT A TEMPORARY BENCH IN SAID SLOPE AND INSTALL THE INSTALLED PIPE TO DIRECTLY ABOVE THE PIPE MID POINT BETWEEN THE UP HILL AND DOWN HILL DITCH BANKS. ALL BACKFILL MATERIAL SHALL BE MECHANICALLY COMPACTED, AND EROSION CONTROL PROVIDED AS NECESSARY TO MAINTAIN BACKFILL.

LOCATION CONDITION 'C': WHENEVER IT IS NECESSARY TO INSTALL PROPOSED WATER MAIN AT THE TOE OF THE EXISTING RIGHT-OF-WAY FENCE LINE, THE CONTRACTOR SHALL LOCATE THE WATER MAIN BEHIND THE EXISTING DITCH. THE WATER MAIN SHALL BE 45' FAR AS POSSIBLE BEHIND THE EXISTING DITCH.

LOCATION CONDITION 'D': WHENEVER IT IS NECESSARY TO INSTALL THE PROPOSED WATER MAIN WITHIN THE LIMITS OF THE EXISTING ROADWAY DITCH LINE, THE CONTRACTOR SHALL PROVIDE 42" (min.) COVER OVER THE PROPOSED WATER MAIN MEASURED FROM THE INVERT OF THE DITCH. THE GRADE OF THE DITCH SHALL BE CONTINUOUSLY MAINTAINED AS THE WATER MAIN IS INSTALLED.

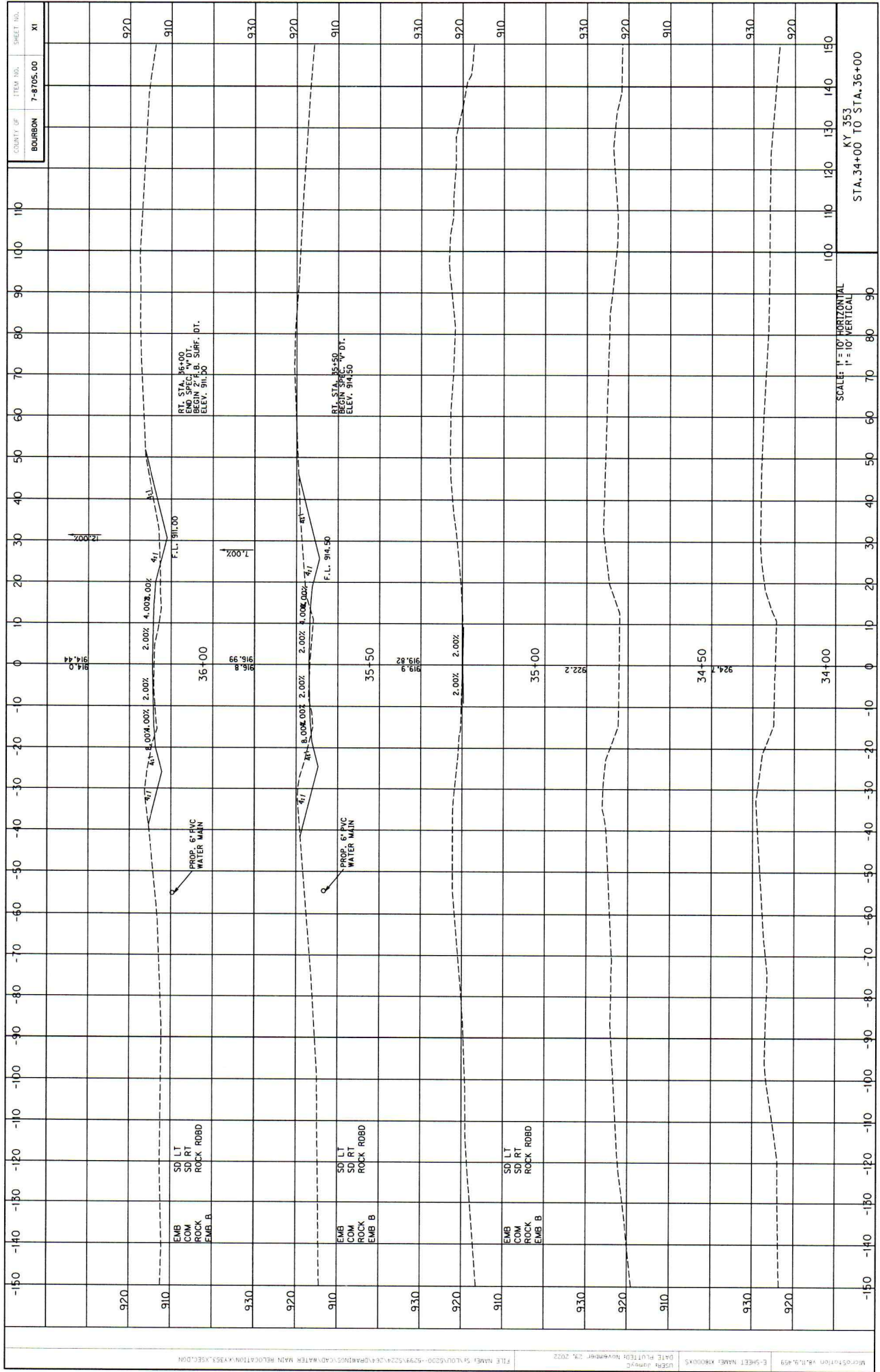
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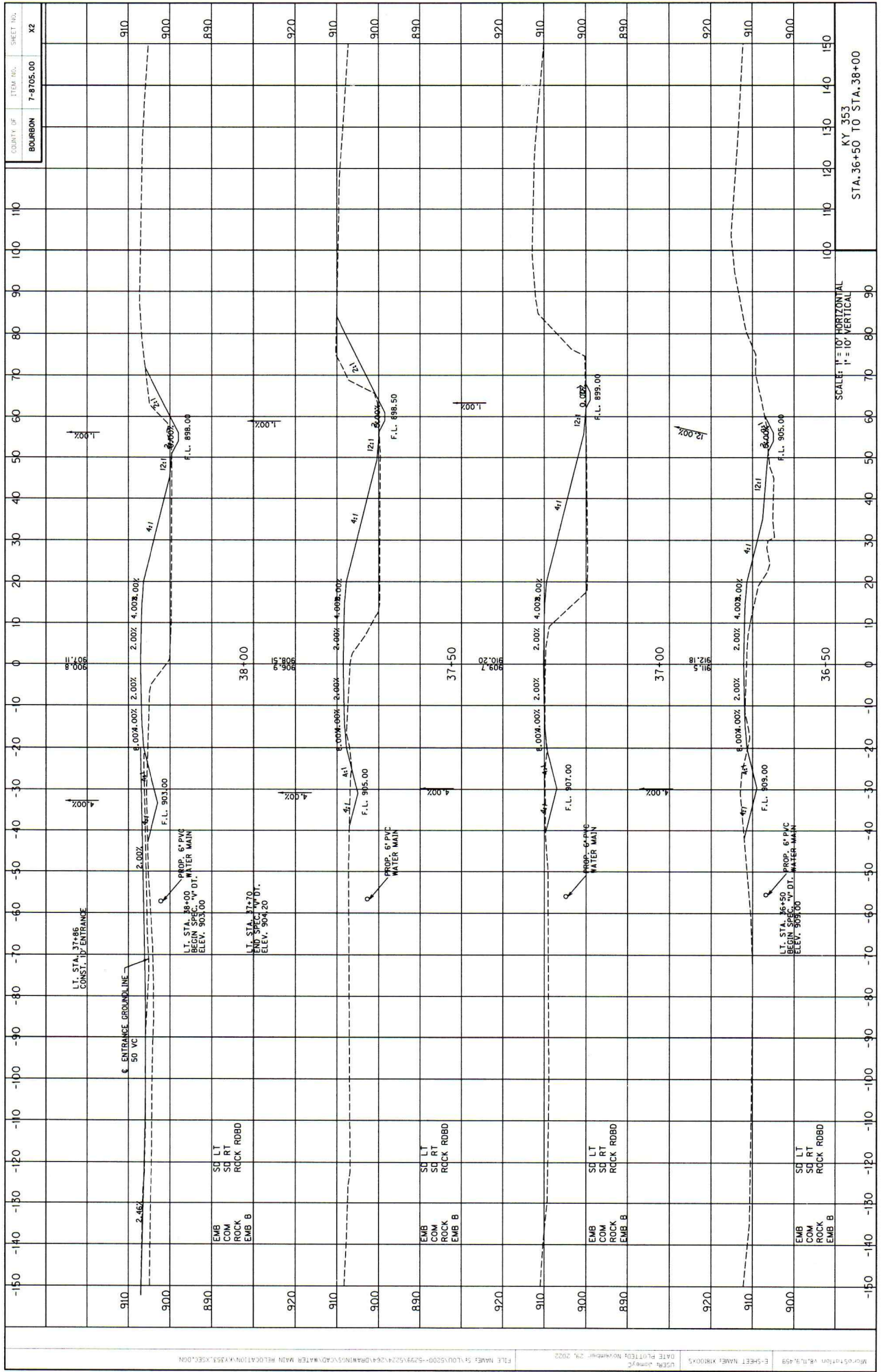
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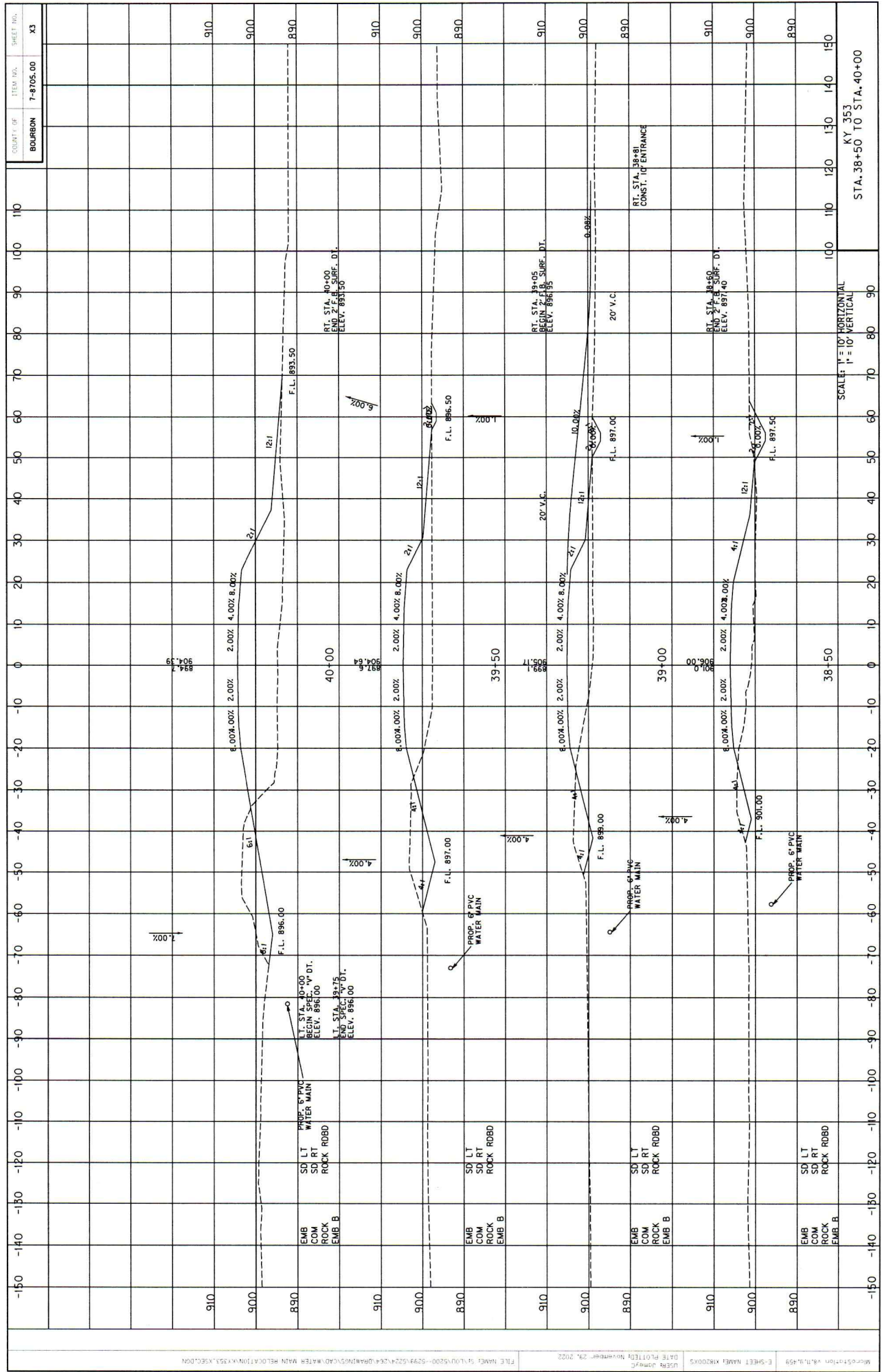
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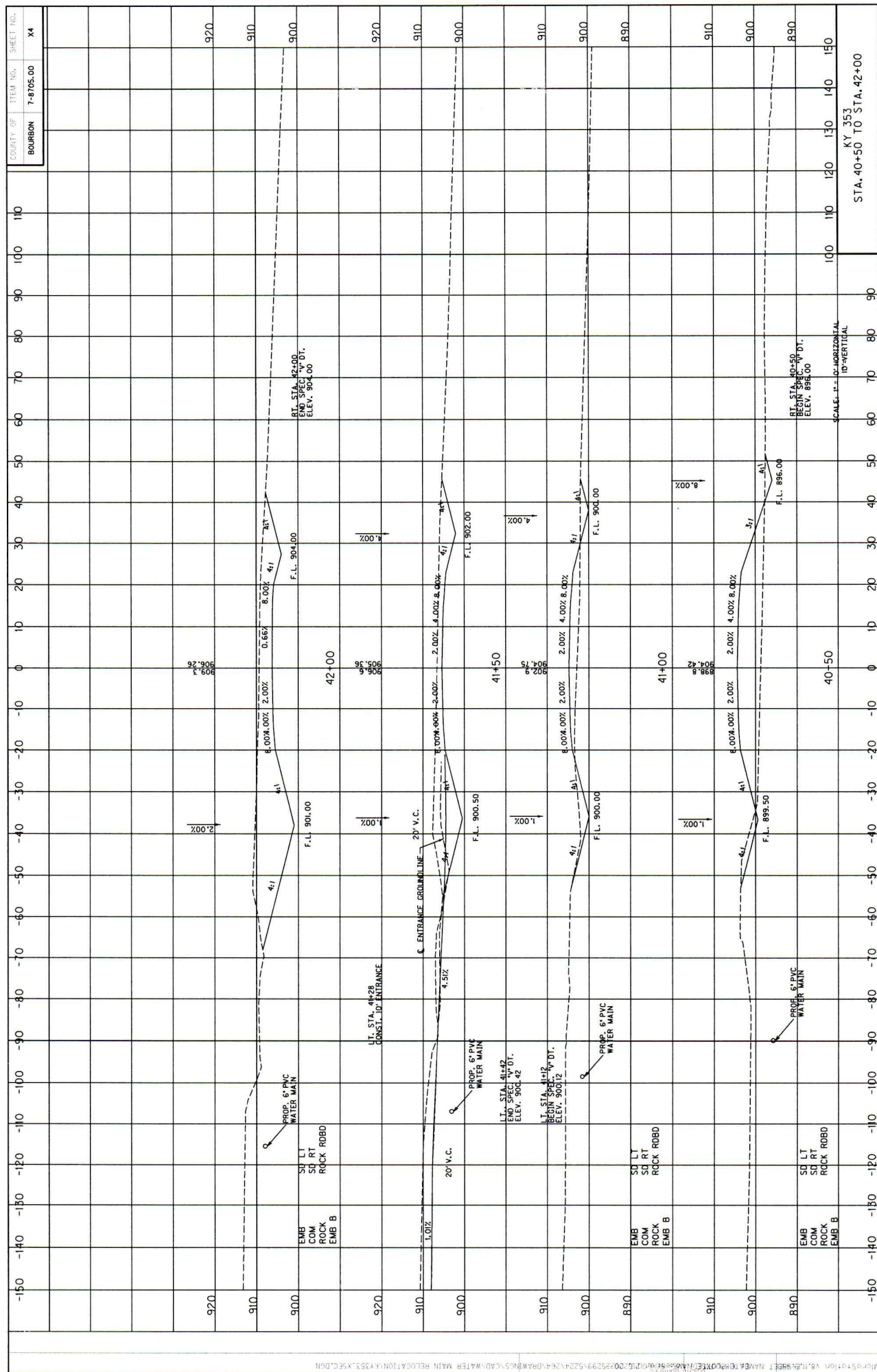
SCALE: 1" = 10' HORIZONTAL
1" = 10' VERTICAL

STA. 36+50 TO STA. 38+00



SCALE: 1" = 10' HORIZONTAL
1" = 10' VERTICAL

STA. 38+50 TO STA. 40+00
KY 353



COUNTY OF BOURBON

ITEM NO. 7-8705.00

SHEET NO. 14

STA. 40+50 TO STA. 42+00

SCALE: 1" = 20' HORIZONTAL
1" = 4' VERTICAL

UT. STA. 41+28
CONST. JOE ENTRANCE

PROP. 6" PVC
WATER MAIN

END SPEC. V.O.T.
ELEV. 904.42

END SPEC. V.O.T.
ELEV. 898.00

UT. STA. 41+50
CONST. JOE ENTRANCE
ELEV. 898.00

920

910

900

920

910

900

910

890

910

900

890

150

140

130

120

110

100

90

80

70

60

50

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20

10

0

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-90

-100

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-140

-150

EMB COM ROCK ROBB EMB B

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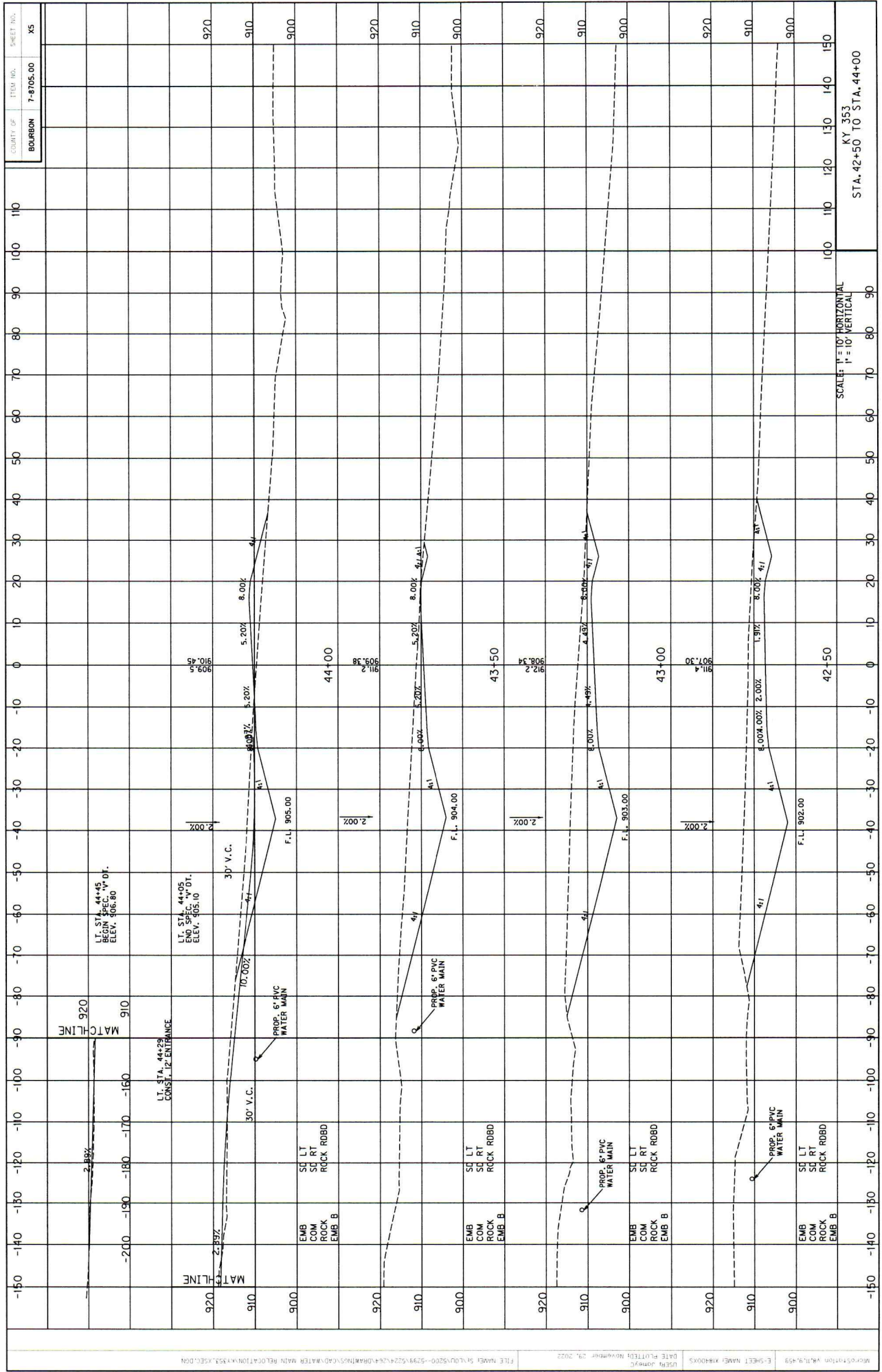
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SCALE: 1" = 10' HORIZONTAL
1" = 10' VERTICAL

STA. 42+50 TO STA. 44+00

MicroStation v8i.9.4.99
E-SHEET NAME: X18R003
DATE PLOTTED: November 29, 2022
USER: jomyc

FILE NAME: S:\10\5200-5298\5234\4\G\DK\TNS\CAD\WATER MAIN\REL\LOCATION\X18R003.XCEL.DGN

COUNTY OF	ITEM NO.	SHEET NO.
BOURBON	P-8705.00	15

