

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

IN THE MATTER OF:

**THE APPLICATION OF BATH COUNTY WATER)
DISTRICT FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO CONSTRUCT) CASE NO.2023-00097
AND FINANCE IMPROVEMENT PROJECTS)
PURSUANT TO KRS 278.020 AND 278.300)**

APPLICATION

Pursuant to KRS 278.020(1), KRS 278.300, and 807 KAR 5:001E, Bath County Water District (“BCWD”) applies to the Public Service Commission (“Commission”) for an Order granting a certificate of public need and necessity to construct a water system improvement project, consisting of extensions, additions, and improvements (the “Project”) to the existing waterworks system of Applicant, and approval of the proposed plan of financing said Project.

In support of this Application, BCWD submits the following:

1. The full name and mailing address of BCWD is Bath County Water District, PO Box 369, 21 Church Street, Salt Lick KY 40371. Email address is bathcowater@roadrunner.com.

2. Copies of all orders, pleadings, and other communications related to this proceeding should be directed to:

Sarah Price
Bath County Water District
P.O. Box 369
Salt Lick, Ky. 40371
sarahbcwd@gmail.com

Holly Nicholas
Kentucky Engineering Group PLLC
P.O. Box 1034
Versailles, Ky. 40383
hnicholas@kyengr.com

Earl Rogers III
Campbell Rogers & Stacy PLLC
154 Flemingsburg Road
Morehead, Ky. 40351
earl@campbellrogers.com

3. Applicant, BCWD, is a water district in Bath County, Kentucky formed pursuant to KRS Chapter 74.

4. The Project to improve the BCWD water system consists of:

2022 Water System Improvements – Ore Mines and Midland Pump Station Improvements
2022 Water System Improvements – Water Tank Rehabilitation.

5. Applicant proposes to finance the construction of the Project through a 20-year loan from the Kentucky Infrastructure Authority Fund B in the amount of \$640,469.00 at 1.25 percent interest and a contribution of \$851,008 in Cleaner Water grant funds.

6. That Applicant does not contemplate having the Project constructed with any deviation from minimum construction standards of the Public Service Commission.

7. That Applicant files herewith the following Exhibits pursuant to 807 KAR 5:001 in support of this Application.

A. Copy of KIA Conditional Commitment Letter,

B. A full description of the proposed location of the new construction and map showing the location; Engineering plans and specifications signed by a Kentucky registered Engineer; As Bid project budget; and Certified Bid Tabs. The Drinking Water State Revolving Loan Handbook is followed regarding required documents. It does not require a preliminary or final engineering report. Therefore, neither have been prepared.

C. Estimated cost of operation of proposed facilities once new facilities are in service.

D. Estimated construction costs by Uniform System of Accounts.

E. Request that the Bath County Water District's 2021 Annual Report, which is on file with the Commission, be incorporated by reference into the application and request a deviation from 807 KAR 5:001, Section 11 to permit the 2021 Annual Report to substitute as the required financial exhibit.

F. Additional Financial Information

G. Certified statement from the Chairman of the District based upon statements of the Engineers for the District, concerning the following:

(1) The proposed plans and specifications for the Project have been designed to meet the minimum construction and operating requirements set out in 807

KAR 5:066 Section 4(3) and (4); Section 5(1); Sections 6 and 7; Sections 8(1) through (3); Section 9(1) and Section 10;

- (2) All other state approvals or permits have already been obtained;
- (3) Setting out the dates when it is anticipated that construction will begin and end.

8. That the foregoing constitutes the documents necessary to obtain the approval of the Public Service Commission in accordance with Section 278.020 and Section 278.0300 of the Kentucky Revised Statutes and in accordance with the "Filing Requirements" specified in 807 KAR 5:001, Section 9.

WHEREFORE, Applicant, Bath County Water District requests the Commission enter Orders as follows:

1. Granting a Certificate of Public Convenience and Necessity permitting Applicant to construct a waterworks project consisting of extensions, additions, and improvements to the existing waterworks system of Applicant;
2. Approving the financing arrangements made by Applicant, utilizing a \$640,469 loan and a \$851,008 Cleaner Water Grant; and
3. Granting any and all other relief to which Bath County Water District may be entitled.

Respectfully submitted,

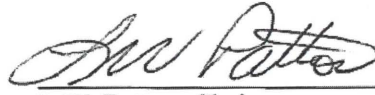


Earl Rogers III
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(606) 783-1012
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Counsel for Bath County Water District

COMMONWEALTH OF KENTUCKY)
) SS:
COUNTY OF BATH)

The undersigned, L.W. Patton, being duly sworn, deposes and states that he is the Chair of the Bath County Water District, Applicant; that he has read the foregoing Application and has noted the contents thereof; that the same is true of his own knowledge, except as to matters which are therein stated on information or belief, and as to those matters, he believes same to be true.

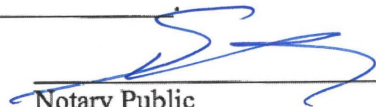
IN TESTIMONY WHEREOF, witness the signature of the undersigned on this 24 day of March 2023.



L.W. Patton, Chair
Bath County Water District

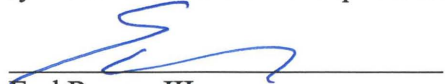
STATE OF KENTUCKY
 SS
COUNTY OF BATH

Subscribed and sworn to before me by L. W. Patton, Chair of the Bath County Water District, on this 24th day of March 2023.

My Commission expires: 1/19/25 _____

Notary Public

CERTIFICATE OF SERVICE

The undersigned certifies that the electronic filing has been transmitted to the Commission on March 28th, 2023; and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding.



Earl Rogers III
Counsel for Bath County Water District