

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

IN THE MATTER OF:

**ELECTRONIC JOINT APPLICATION)
OF HARDIN COUNTY WATER)
DISTRICT No. 1 AND THE CITY OF)
WEST POINT, KENTUCKY, FOR)
APPROVAL OF ACQUISITION AND)
TRANSFER OF CONTROL OF)
WATER AND WASTEWATER)
FACILITIES SERVING THE CITY OF)
WEST POINT IN HARDIN COUNTY,)
KENTUCKY)**

Case No. 2023-00143

VERIFIED JOINT APPLICATION

Hardin County Water District No. 1 ("Hardin District") and the City of West Point ("City") (collectively, "Joint Applicants") jointly applies to the Public Service Commission ("Commission") for an order, pursuant to KRS 278.020 (6), (7), and (10) approving the acquisition of ownership, transfer, and control to Hardin District of the City's water and wastewater facilities, assets, and accounts. The proposed acquisition and transfer of ownership and control will occur, subject to the approval of the Commission and other regulatory agencies, under the terms of the accompanying, Water System and Wastewater System Acquisition Agreement (the "Agreement") dated April 25, 2023, by and between the Hardin District and the City, attached hereto as **Exhibit A**.

A. Background

1. The full name and post office address of Hardin District is: Hardin County Water District No. 1, 1400 Rogersville Road, Radcliff, Kentucky 40160. Its e-mail address is: shogan@hcwd.com

2. The full name and post office address of City is: The City of West Point, 509 Elm Street, West Point, Kentucky 40177. Its e-mail address is: Mayor@westpointky.org

3. Copies of all orders and pleadings related to this proceeding should be directed to:

Stephen M. Hogan
General Manager
Hardin County Water District No. 1
1400 Rogersville Road
Radcliff, Kentucky 40160
(270) 351-3222
shogan@hcwd.com

Scott Schmuck
Finance & Accounting Manager
Hardin County Water District No. 1
1400 Rogersville Road
Radcliff, Kentucky 40160
(270) 351-3222
sschmuck@hcwd.com

David T. Wilson II
Skeeters, Bennett, Wilson & Humphrey
550 W. Lincoln Trail Boulevard
Radcliff, Kentucky 40160
(270) 351-4404
david.wilson@sbwhlaw.com

Richard B. Shufelt
Skeeters, Bennett, Wilson & Humphrey
550 W. Lincoln Trail Boulevard
Radcliff, Kentucky 40160
(270) 351-4404
richard.shufelt@sbwhlaw.com

Richard Ciresi
Mayor of West Point
509 Elm Street
West Point, Kentucky 40177
(502) 922-4260
Mayor@westpointky.org

4. Hardin District is a water district created under the provisions of KRS Chapter 74 and is a political subdivision of the Commonwealth of Kentucky.

5. Hardin District is not a corporation, limited liability company or limited partnership. It has no articles of incorporation or partnership agreements.

6. Hardin County Court created Hardin District pursuant to an order entered August 20, 1952.

7. The City is a Kentucky Municipality established in 1796.

8. The City is not a corporation, limited liability company or limited partnership. It has no articles of incorporation or partnership agreements.

9. Hardin District owns and operates facilities that provide, as of December 31, 2022 retail water service to approximately 10,756 customers in Hardin County, Kentucky, and wholesale water service to Meade County Water District and the cities of Vine Grove, Hardinsburg, and West Point.¹ It also owns and operates facilities that provide, as of December 31, 2022, wastewater service to approximately 9,349 customers in Hardin County, Kentucky, primarily in the city of Radcliff.²

9. Hardin District owns and operates the water treatment and distribution system that serves the Fort Knox Military Installation ("Fort Knox"),³ and the wastewater and storm water drainage systems⁴ that serve that installation.

10. The City currently serves approximately 400 total water and wastewater customers with 45,547 feet of water mains of various sizes inclusive of appurtenances.

B. Proposed Acquisition and Transfer of Ownership And Control

11. Hardin District currently owns and operates water and wastewater facilities throughout Hardin County and Fort Knox, Kentucky as shown in maps attached hereto as **Exhibit B**.

12. The City currently owns and operates water and wastewater facilities throughout West Point, Kentucky, located in Hardin County, Kentucky, as shown in maps attached hereto as Exhibit B.

13. Section 4 of the Agreement expressly contemplates Commission review and approval of the transaction as a condition precedent to closing.

14. As evidenced in its recent filing under Commission Case 2023-00144 and the financial information contained therein, Hardin District has the sufficient financial ability to ensure the continuity of water and wastewater service to the former customers of the City.

15. The Hardin District has the technical and managerial abilities to provide reasonable service to the City's present customers.

C. Impact of Acquisition Upon Customers

16. No rate adjustment for the Hardin District's existing customers will be necessary.

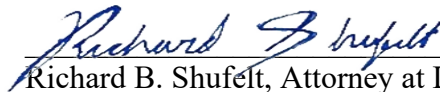
17. The City's customers acquired by the Hardin District via the Agreement will be adjusted to Hardin District's current rates. The acquired customers will have an estimated increase of \$0.06 per billing cycle on water service based on an average estimated use of 4,500 gallons. The acquired customers will have an estimated decrease of \$3.36 per billing cycle on sewer service based on an average estimated use of 4,500 gallons. A comparison of fee schedules is attached hereto as **Exhibit C**.

WHEREFORE, Hardin County Water District No. 1 request the Public Service Commission of the Commonwealth of Kentucky issue an order finding that the Hardin District has the financial, technical, and managerial abilities to provide reasonable service to the City's customers; that the proposed transaction is in accordance with the law, is for a proper purpose, and is consistent with the

public interest and that the proposed transfer of the water and wastewater systems from the City to the Hardin District is authorized and approved by the Commission.

HARDIN COUNTY WATER DISTRICT No. 1

By:

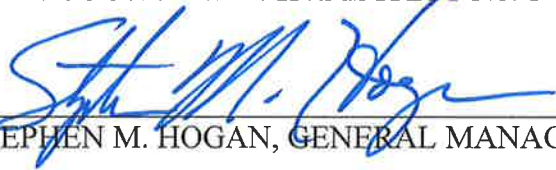


Richard B. Shufelt, Attorney at Law
SKEETERS, BENNETT, WILSON & HUMPHREY
550 W. Lincoln Trail Blvd.
Radcliff, KY 40160
270-351-4404
Attorney for Hardin County Water District No. 1

VERIFICATION

The undersigned, Mr. Stephen M. Hogan, General Manager of the Hardin County Water District No. 1, hereby verifies that he has personal knowledge of the matters set forth in the enclosed Application requesting the Commission approve the transfer of the water and wastewater systems from the City of West Point to the Hardin County Water District No. 1, and that he is duly designed by the Board of Commissioners of the Hardin County Water District No. 1 to sign and submit this information on its behalf.

HARDIN COUNTY WATER DISTRICT No. 1

By 
STEPHEN M. HOGAN, GENERAL MANAGER

STATE OF KENTUCKY
COUNTY OF HARDIN

I, the undersigned, a Notary Public, do hereby certify that on this 4th day of May, 2023, personally appeared before me, STEPHEN M. HOGAN, who being by me first sworn, subscribed to and acknowledged that he is General Manager for the Hardin County Water District No. 1, a Kentucky Corporation, that he has signed the foregoing document as General Manager of Hardin District.




NOTARY PUBLIC, STATE OF KENTUCKY

Notary ID: KYNP50952

My Commission Expires: May 22, 2026

The undersigned, Mr. Richard Ciresi, Mayor of the City of West Point, Kentucky, hereby verifies that he has personal knowledge of the matters set forth in the enclosed Application requesting the Commission approve the transfer of the water and wastewater systems from the City of West Point to the Hardin County Water District No. 1, and that he is a duly elected official with sufficient legal capacity to sign and submit this information on the City's behalf.

THE CITY OF WEST POINT, KENTUCKY

By [Signature]
RICHARD CIRESI
MAYOR OF THE CITY OF WEST POINT

STATE OF KENTUCKY
COUNTY OF HARDIN

I, the undersigned, a Notary Public, do hereby certify that on this 5th day of May, 2023, personally appeared before me, RICHARD CIRESI, who being by me first sworn, subscribed to and acknowledged that he is Mayor for the City of West Point, that he has signed the foregoing document as Mayor of West Point.



[Signature]
NOTARY PUBLIC, STATE OF KENTUCKY

Notary ID: 624530

My Commission Expires: 7/1/23

CERTIFICATION OF SERVICE

The undersigned, Mr. Richard B. Shufelt, Attorney for the Hardin County Water District No. 1, in accordance with 807 KAR 5:001, Section 8 and the Commission's Order of July 22, 2021, in Case No. 2020-00085, certify that on this 5th day of May, 2023, this document was electronically transmitted to the Public Service Commission on this the ; and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding.

SKEETERS, BENNETT, WILSON & HUMPHREY

By



RICHARD B. SHUFELT, Esq., ATTORNEY

STATE OF KENTUCKY
COUNTY OF HARDIN

I, the undersigned, a Notary Public, do hereby certify that on this 5 day of May, 2023, personally appeared before me, RICHARD B. SHUFELT, who being by me first sworn, subscribed to and acknowledged that he represents the Hardin County Water District No. 1, a Kentucky Corporation, that he has signed the foregoing document as Attorney of Hardin District.



NOTARY PUBLIC, STATE OF KENTUCKY

Notary ID: KYNP49076

My Commission Expires: 5-23-26

¹ Annual Report of Hardin County Water District No. 1 to the Public Service Commission of the Commonwealth of Kentucky for the Calendar Year Ended December 31, 2021 ("2021 Annual Water Report") at Ref Pages 27 and 29.

² Annual Report of Hardin County Water District No. 1 to the Public Service Commission of the Commonwealth of Kentucky for the Calendar Year Ended December 31, 2021 ("2021 Annual Sewer Report") at Ref Page 8.

³ Application of Hardin County Water District No. 1 for Approval of a Contract with the United States Army to Provide Water Service to the Fort Knox Military Installation, Case No. 2011-00416 (Ky. PSC Jan. 27, 2012).

⁴ Application of Hardin County Water District No. 1 Requesting A Certificate of Public Convenience and Necessity to Own and Operate A Sewer Utility and Approval of Initial Rates, Case No. 2004-00422 (Ky. PSC Dec. 1, 2004).