

**COMMONWEALTH OF KENTUCKY**

**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

**APPLICATION OF NORTH NELSON )  
WATER DISTRICT AND ROBERT )  
CECIL, A MEMBER OF THE BOARD )  
OF COMMISSIONERS OF NORTH )  
NELSON WATER DISTRICT, FOR ) CASE NO. 2023-00254  
AN EXTENSION OF TIME TO )  
COMPLETE REQUIRED TRAINING )  
FOR NEWLY APPOINTED WATER )  
DISTRICT COMMISSIONERS )**

**VERIFIED APPLICATION**

Pursuant to KRS 74.020(8) and (9), North Nelson Water District (“North Nelson District”) and Robert Cecil (collectively “the Applicants”) apply to the Public Service Commission (“Commission”) for an Order authorizing a four (4)-month extension of time, until December 6, 2023, for Commissioner Cecil to complete the training required for newly appointed water district commissioners.

In support of their Verified Application, the Applicants state:

1. The full name, post office address, and phone number of North Nelson District is North Nelson Water District, P.O. Box 25, Cox’s Creek, Kentucky 40013, (502) 348-8342. Its e-mail address is: northnelsonwaterdistrict@yahoo.com.

2. Commissioner Cecil's full name, post office address, and phone number is Robert Cecil, P.O. Box 25, Cox's Creek, Kentucky 40013, (502) 348-8342. His e-mail address is: rcecil@mylnb.com.

3. Copies of all orders, pleadings and other communications related to this proceeding should be directed to<sup>1</sup>:

Robert Cecil, Commissioner  
North Nelson Water District  
P. O. Box 25  
Cox's Creek, Kentucky 40013  
(502) 348-8342  
rcecil@mylnb.com

Colin S. Cissell, General Manager  
P. O. Box 25  
Cox's Creek, Kentucky 40013  
(502) 348-8342  
northnelsonwaterdistrict@yahoo.com

4. North Nelson District is not a corporation, limited liability company or limited partnership. It has no articles of incorporation or partnership agreements.

5. North Nelson District is a water district created under the provisions of KRS Chapter 74.

6. KRS 365.015 does not require North Nelson District to file a certificate of assumed name.

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<sup>1</sup> On July 26, 2023, pursuant to 807 KAR 5:001, Section 8, the Applicants notified the Public Service Commission of their election of the use of electronic filing procedures for this proceeding.

7. Commissioner Cecil is a member of North Nelson District's Board of Commissioners. Nelson County Judge Executive, Nicky Rapier, appointed Commissioner Cecil as a commissioner on August 16, 2022 to complete his predecessor's unexpired term. A copy of Commissioner Cecil's appointment is attached to this Application as **Exhibit 1**.

8. KRS 74.020(8)(a) requires the Public Service Commission to at least once annually, "provide or cause to be conducted a program of instruction, consisting of at least twelve (12) hours of instruction, that is intended to train newly appointed commissioners in the laws governing the management and operation of water districts and other subjects that the Public Service Commission deems appropriate."

9. KRS 74.020(b) requires a water district commissioner to complete such a program of instruction within twelve (12) months of his initial appointment. A commissioner that fails to complete that program within 12 months of his initial appointment forfeits his office and all right to discharge the duties of water district commissioner.

10. At Commissioner Cecil's direction, North Nelson District's staff completed a registration form for Commissioner Cecil to attend the session for water district commissioner training scheduled for December 7-8, 2022 and mailed the completed form and a check for the registration fee to the Commission.

(Commissioner Cecil selected the December 7-8, 2022 session because it fit his schedule) (*See Exhibit 2* for a copy of the completed registration form and check).

11. Shortly before Commissioner Cecil was scheduled to attend the December 7-8, 2022 training, he broke his foot and it was placed in a boot. Commissioner Cecil had to use a scooter to move about. He was unable to drive. Surgery was scheduled for December 7, 2022. At the last minute, the surgery was delayed until December 13, 2022 because of insurance issues. Because of the pain, Commissioner Cecil was taking pain medication and did not feel like watching the water commissioner training virtually on December 7 and 8, 2022. Quite frankly, watching the water commissioner training virtually was the last thing on his mind on those dates.

12. Since he missed the 2022 training, Commissioner Cecil planned to attend the 2023 water district commissioner training in western Kentucky during the summer of 2023. He is employed as the Business Development Officer/Vice President for the Lincoln National Bank in Bardstown, Kentucky. His employer requires its employees to schedule their vacations early in the year. In early 2023, he scheduled his family vacation for the week of July 10-14 – several months before the Commission announced the training schedule for 2023. Once the dates were announced, it was too late to change his family’s vacation plans. Thus he was not able to attend the July 2023 training at Kentucky Dam Village.

13. Commissioner Cecil plans to attend the water district commissioner training scheduled for December 5-6, 2023 in Frankfort. At his direction, North Nelson District has registered Commissioner Cecil for the December training in Frankfort.

14. North Nelson District states that Commissioner Cecil is currently serving as Chairman of its Board of Commissioners and urges the Commission to grant this requested extension of time to enable Commissioner Cecil to remain on its Board.

15. KRS 74.020(9) provides that “the Public Service Commission may grant a reasonable extension of time, not to exceed six (6) months, for completing the training requirements” of KRS 74.020(8).

16. In light of the circumstances that led to Commissioner Cecil’s failure to attend the required training in calendar year 2022 and the water district commissioner training conducted on July 11-12, 2023, good cause exists to grant him an extension of time to December 6, 2023 to complete the required training.

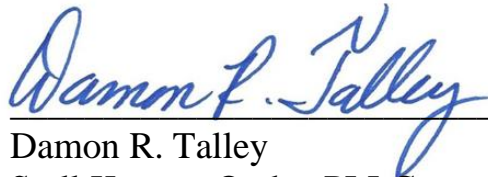
**WHEREFORE**, the Applicants request that the Public Service Commission

1. Issue an Order extending the time in which Commissioner Cecil may complete the training required for newly appointed water district commissioners to December 6, 2023;

2. Enter an Order granting the requested relief without holding an evidentiary hearing in this matter; and,
3. Grant all such other relief to which Applicants may be entitled.

Dated: August 2, 2023

Respectfully submitted,



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Damon R. Talley  
Stoll Keenon Ogden PLLC  
P.O. Box 150  
Hodgenville, KY 42748-0150  
Telephone: (270) 358-3187  
Fax: (270) 358-9560  
damon.talley@skofirm.com  
*Counsel for the Applicants*

COMMONWEALTH OF KENTUCKY )  
 ) SS  
COUNTY OF NELSON )

The undersigned Colin S. Cissell being duly sworn, deposes and states that he is the General Manager of North Nelson Water District; that he has read this Application and has noted its contents; 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.

  
\_\_\_\_\_  
Colin S. Cissell

Subscribed and sworn to before me by Colin S. Cissell, on this August 1<sup>st</sup>,  
2023.

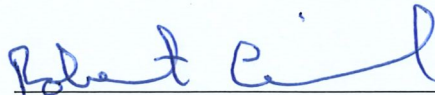
  
\_\_\_\_\_  
Notary Public

Notary ID: KYNP52228

My Commission Expires: 05/23/2026

COMMONWEALTH OF KENTUCKY )  
 ) SS  
COUNTY OF NELSON )

The undersigned Robert Cecil being duly sworn, deposes and states that he has read this Application and has noted its contents; 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.



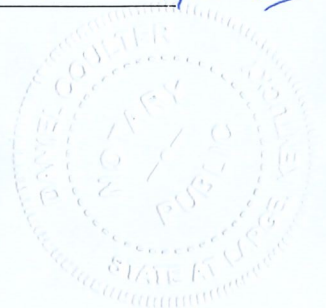
Robert Cecil

Subscribed and sworn to before me by Robert Cecil, on this August 1,  
2023.

  
\_\_\_\_\_  
Notary Public

Notary ID: LYNP30208


My Commission Expires: June 24, 2025





## CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that this document was submitted electronically to the Public Service Commission on August 2, 2023, and that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding.

  
\_\_\_\_\_

Damon R. Talley

# **EXHIBIT 1**

# NELSON COUNTY – KENTUCKY

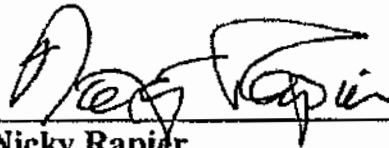
NICKY RAPIER, County Judge Executive  
P.O. Box 578 – One Court Square, 2<sup>nd</sup> Floor  
Bardstown, KY 40004-0578

Phone: (502) 348-1800  
Fax: (502) 348-1873  
Ncjudge@bardstown.com

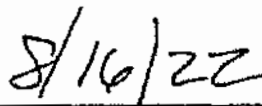
## NELSON COUNTY FISCAL COURT

### ORDER

Pursuant to the relative Kentucky Revised Statues, **Robert Cecil** is hereby appointed to the **North Nelson Water District Board** for a term in accordance to the Bylaws or governing Regulations in place.



Nicky Rapier  
Nelson County Judge Executive



Date

# **EXHIBIT 2**

**PSC 2022 Water Training Seminar Registration Form**

*Mailed 11/2/2022*  
Select Seminar Desired  
 (Check One)

Utility Name: North Nelson Water District

Mailing Address: P.O. Box 25 Cox's Creek, KY 40013

Contact Person: Susy DUNCAN

Phone #: 502-348-8342 E-mail\*: northnelsonwaterdistrict@yahoo.com

**BE SURE YOU REGISTER FOR THE SEMINAR OFFERING THE AMOUNT OF CREDITS THAT YOU ARE REQUIRED TO OBTAIN.**

July Session  
 Up to 12 credit hours  
 Mail-In Registration Deadline: July 18, 2022  
 Seminar Dates: July 20-21, 20202

September Session  
 Up to 12 credit hours  
 Mail-In Registration Deadline: September 1, 2022  
 Seminar Dates: September 7-8, 20202

October Session  
 Up to 12 credit hours  
 Mail-In Registration Deadline: October 1, 2022  
 Seminar Dates: October 3-4, 20202

December Session - in person  
 Up to 12 credit hours  
 Registration Deadline: December 1, 2022  
 Seminar Dates: December 7-8, 2022

\* Registration Confirmation, Notices and Certificate(s) will be e-mailed to the address provided.

| Attendees | Name                 | Title                              | CLE Type |     | NEW   |
|-----------|----------------------|------------------------------------|----------|-----|---|
|           |                      |                                    | KBA      | DOW |   |
|           | <u>Colin Cissell</u> | <u>General Manager</u>             | ___      | ___ | Yes: <input type="radio"/> No: <input type="radio"/>                                  |
|           | <u>Robert Cecil</u>  | <u>Commissioner -<br/>Chairman</u> | ___      | ___ | <input checked="" type="radio"/> Yes: <input type="radio"/> No: <input type="radio"/> |
|           | <u>Susy DUNCAN</u>   | <u>Office Manager</u>              | ___      | ___ | Yes: <input type="radio"/> No: <input checked="" type="radio"/>                       |
|           | _____                | _____                              | ___      | ___ | Yes: <input type="radio"/> No: <input type="radio"/>                                  |
|           | _____                | _____                              | ___      | ___ | Yes: <input type="radio"/> No: <input type="radio"/>                                  |

Total Attendees 3 x \$75/per person

**Please Note - Registration Fees are Non- Refundable - If you cannot attend, your registration may be used to attend a seminar later in the same year. UNUSED REGISTRATION FEES DO NOT CARRY OVER FROM ONE YEAR TO THE NEXT.**

Presented materials will be made available to attendees upon request.

(Make Checks Payable to Kentucky State Treasurer)

Total Amount Included \$ 225<sup>00</sup>

**Mail Completed Form and Check to:**

**PSC Water Training Coordinator**  
 211 Sower Blvd.  
 Frankfort, KY 40601

**IF ANY OF YOUR ATTENDEES REQUIRE DOW CREDIT PLEASE CLEARLY MARK IT ABOVE AND INCLUDE ALL RELEVANT ID NUMBERS**

**NORTH NELSON WATER DISTRICT**

P O BOX 25 PH 502-348-8342  
COXS CREEK KY 40013-0025

11224

73-206/839  
10

DATE 11/1/2022

CHECK ARMOR  
TRADE PREFERRED

PAY  
TO THE  
ORDER OF

Kentucky State Treasurer

\$ 225.00

Two hundred twenty-five and 00/100

DOLLARS

Photo  
Safe  
Deposit  
Dash on back



**Town & Country**  
Bank and Trust Co.  
Main Office Banking Center

FOR

(3) Registration Fees - PSC 2022 Water Training Seminar

[Signature]  
Gen. A. Casell

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