

COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

| | | |
|---|---|-------------------|
| ELECTRONIC APPLICATION OF THE BREATHITT COUNTY |) | |
| WATER DISTRICT FOR THE ISSUANCE OF A |) | |
| CERTIFICATE OF PUBLIC CONVENIENCE AND |) | |
| NECESSITY TO CONSTRUCT A WATER SYSTEM |) | |
| IMPROVEMEMNTS PROJECT PURSUANT TO THE |) | |
| PROVISIONS OF KRS 278.020 AND 807 KAR 5:001 OR |) | CASE NO. |
| ALTERNATIVELY, A DECLARATORY ORDER ESTAB- |) | 2023-00417 |
| LISHING THAT A CERTIFICATE OF PUBLIC NEED |) | |
| AND CONVENIENCE IS NOT NECESSARY AS TO A |) | |
| WATERLINE EXTENSION (KY.30 EAST AND WOLF |) | |
| CREEK WATERLINE EXTENSION PROJECT), PUR- |) | |
| SUANT TO 807 KAR 5:001 AND/OR KAR 5:001 |) | |

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Comes now the Applicant, Breathitt County Water District, by and through its Chairman, Bobby Thorpe, Jr., and for its Response to the Public Service Commission’s Initial Request for Information, states, under oath, as follows:

REQUEST NO. 1: Refer to the Project Description, the Certified Bid Tabulation, and the Grant Agreement, tendered with the application, each provides a different cost for the proposed project. State the total cost of the project, and if the total cost is greater than the grant amount, state how Breathitt District will cover the difference.

RESPONSE: The “as-bid” construction cost is \$3,446,408.00. The Breathitt County Water District has obtained additional funding and will reduce the scope of the contractors’ work as funding allows. The additional funding is in the amount of \$330,000.00 and is from the same source, the Kentucky Infrastructure Authority via the Cleaner Water Act Fund.

REQUEST NO. 2: Refer to the Project Description tendered with the application, which lists a 40,000-gallon ground storage tank; the Contract 2 Plan Sheets, which included engineering plans for a 27,000-gallon storage tank, and the Contract 2 Specs Op, which lists a 40,000-gallon ground storage tank and a 150,000-gallon ground storage tank in Section 01010, Summary of Work-Special Notes.

- a. State the total number of water storage tanks that will be constructed as part of the project with a brief description for the tanks, and the proposed location.
- b. If not already provided, provide the plans and specifications, and the drawings of the proposed plant, equipment, and facilities, prepared by a registered engineer, signed, sealed, and dated by an engineer registered in Kentucky.
- c. If such plans and specifications, and drawings are not available, explain why they are not available.


RESPONSE NO. 2:

- a. A bid addendum corrected the 40,000-gallon tank referenced to a 27,000-gallon tank. Two tanks were proposed in the bid documents. As part of the scope reduction, the 150,000-gallon tank will be removed. The 27,000-gallon tank remaining will be located on site with the proposed hydropneumatics pump station.
- b. This information has been previously provided, see Exhibit B of the original filing.
- c. This information has been previously provided, see Exhibit B of the original filing.

REQUEST NO. 3: Identify the exception to the Certificate of Public Convenience and Necessity requirement that Breathitt District contends applies to the projects at issue, and explain each basis for Breathitt District's contention.

RESPONSE NO. 3: The Breathitt County Water District contends that K.R.S. 278.020 (1) (a) (3)(b) constitutes an exception for the requirement that a Certificate of Public Convenience and Necessity be issued for this project. The BCWD will not be incurring any debt associated with this project as per K.R.S. 278.300, and there will not be any rate increase to customers as a result of this project.

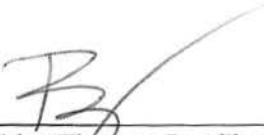
All questions were answered by Michael M. Steen, Project Development Engineer and Bobby Thorpe, Jr., Chairman of the Breathitt County Water District.


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STATE OF KENTUCKY)
)
COUNTY OF BREATHITT)

The affiant, Bobby Thorpe, Jr., being first duly sworn, states: That he is the Chairman of the Breathitt County Water District; that he has read the foregoing Response to the Public Service Commission's Initial Request for Information and has noted the contents thereof; that the same are true of his own knowledge and belief, except as to matter which are herein stated to be based on information or belief, and that these matters, believes to be true and correct.

IN TESTIMONY WHEREOF, witness the signature of the undersigned on the 16th day of February, 2024.


Bobby Thorpe, Jr., Chairman

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by Bobby Thorpe,
Jr., Chairman of the Breathitt County Water District on this the 16th day of February, 2024.

Dawn R. Watts
NOTARY PUBLIC, STATE AT LARGE
My Commission Expires: 08-26-2024
Notary ID#: KYNP 13913



DISTRIBUTION LIST

Case No. 2023-00417

Re: Breathitt County Water District

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