

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

**In the Matter of:**

**RE: ELECTRONIC APPLICATION OF THE BRACKEN COUNTY WATER DISTRICT (“BCWD”) 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 TRANSFER OF A DEVELOPER’S WATER ASSETS; PURSUANT TO KRS 278.020, 501 KAR 5:001(15) &/OR 501 KAR 5:001(19).**

**BRACKEN COUNTY WATER DISTRICT’S (BCWD’S) AND AUGUSTA BROOKSVILLE BRACKEN INDUSTRIAL AUTHORITY’S (ABBIA’S) RESPONSES TO KY PSC’S STAFFS 1<sup>ST</sup> REQUEST FOR DATA, AS INDIVIDUALLY ANSWERED**

**CASE NUMBER 2024-00222**

Comes now the Bracken County Water District, (“BCWD”) by and through the chairman of the board of commissioners, Mr. Philip Crawford, and the manager, Mr. Derrick Bach, and through counsel, Mr. Jesse P. Melcher, Esq., and Augusta Brooksville Bracken Industrial Authority (“ABBIA”), by and through Chairman of the Board, Earl Bush, and hereby respond to KY PSC’s Staffs 1<sup>st</sup> request for data, as follows:

1. Confirm whether the water line distribution system/water utility assets constructed by Augusta Brooksville Bracken Industrial Authority (ABBIA) that are being transferred to Bracken District have previously been used to provide water service. If so, provide the name of the new service provider(s), and dates during which they provided service.

**RESPONSE/ANSWER: No.**

---

**EARL BUSH, CHAIRMAN OF BOARD**  
**ABBIA**

2. Explain whether ABBIA has previously constructed any other water line distribution system and transferred it to Bracken District or any other water utility.

**RESPONSE/ANSWER: No.**



**EARL BUSH, CHAIRMAN OF BOARD  
ABBIA**

3. Confirm whether ABBIA has completed payment of the engineering fees and costs in connection with this project and provide documentation evidencing those payments have been finalized. If not confirmed, provide a timeline for when payment is expected to be complete.

**RESPONSE/ANSWER: The following payments have been made:**

- |    |                             |              |                              |
|----|-----------------------------|--------------|------------------------------|
| a) | G & W Construction          | \$219,391.72 | date 7-3-2024; check # 1034  |
| b) | G & W Construction          | \$30,666.52  | date 8-1-2024; check # 1037  |
| c) | Bluegrass Engineering, PLLC | \$23,155.00  | date 1-25-2024; check # 1026 |
| d) | Bluegrass Engineering, PLLC | \$38,407.50  | date 7-3-2024; check # 1033  |
| e) | Bluegrass Engineering, PLLC | \$2,637.50   | date 8-1-2024; check # 1036  |

<b>TOTAL PAID TO BLUEGRASS ENGINEERING, PLLC</b>	<b>\$64,200.00</b>
<b>TOTAL PAID TO G &amp; W CONSTRUCTION</b>	<b>\$250,058.24</b>
<b>TOTAL TO BE PAID TO G &amp; W CONSTRUCTION</b>	
<b>REMAINING</b>	<b>\$13,160.96</b>
<b>TOTAL COST OF THE CONSTRUCTION AND</b>	
<b>ENGINEERING</b>	<b>\$327,419.20</b>

The final payment of \$13,160.96, has been submitted for payment and will be paid in the next month, supplemental documentation of the cleared check to be filed in this case. See copies of all checks referenced in (a-e) above; Exhibit "A", which is attached hereto and fully incorporated herein.



**EARL BUSH, CHAIRMAN OF BOARD  
ABBIA**

4. Explain whether Bracken District has received or completed any other no-cost transfers of water utility assets with a developer pursuant to its tariff provisions regarding acceptance and/or transfer of assets.

**RESPONSE/ANSWER: None known by the answering parties.**



DERICK BACH, MANAGER



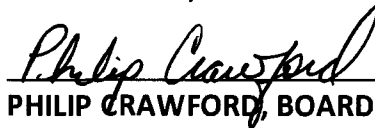
PHILIP CRAWFORD, BOARD OF COMMISSIONER'S, CHAIRMAN

5. Provide the current fair market value and book value of the water utility assets. Include in the response how Bracken District plans to record the asset transfer on its books.

**RESPONSE/ANSWER: It is believed the FCV is the construction and development costs, total \$327,419.20; however, since the project costs were not borne by BCWD, said asset is a contribution asset, and the costs of construction and engineering will be the fair cash value of the contributed asset.**



DERICK BACH, MANAGER



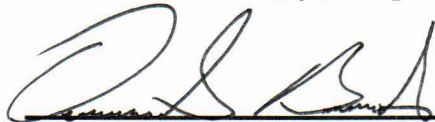
PHILIP CRAWFORD, BOARD OF COMMISSIONER'S, CHAIRMAN

6. Confirm that the assets were appraised and inspected by all appropriate permitting authorities, including but not limited to Division of Water. If not, explain why. If so, provide the appraisal or inspection reports.

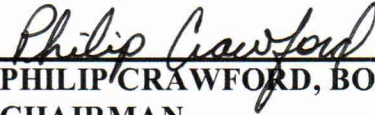
**RESPONSE/ANSWER:** The assets have never been appraised. ABBIA only developed this line to provide a water line into the Industrial park and did not intend to carry the water assets on its books as the project is partially funded by a grant and ABBIA is not in the business and has not provided water.

BCWD is simply receipting, if approved, by KY PSC, the assets and only intends to carry the asset as contribution in the amount contributed/expended by the giftor; See answer to Number # 5.

Yes. DOW approved the line on or about March 7, 2024; see attached approval report. See Exhibit "B", attached hereto and fully incorporated herein. Bluegrass Engineering oversaw the construction and inspection of the job. See Exhibit "C" (consisting of 14 pages), attached hereto and fully incorporated herein.



DERICK BACH, MANAGER



PHILIP CRAWFORD, BOARD OF COMMISSIONER'S,  
CHAIRMAN



EARL BUSH, CHAIRMAN OF BOARD  
ABBIA

**CERTIFICATION**

We, Philip Crawford, Chairman of Board of Commissioners, and Derick Bach, Manager, for the Bracken County Water District, hereby certify that we have read over the foregoing responses, specifically, numerical paragraphs 4, 5, & 6, and that all averments and statements stated in those paragraphs, are true and accurate to the best of our knowledge and belief.

  
\_\_\_\_\_  
DERICK BACH, MANAGER

  
\_\_\_\_\_  
PHILIP CRAWFORD, BOARD OF COMISSIONER'S, CHAIRMAN

COMMONWEALTH OF KENTUCKY  
COUNTY OF Bracken

I, Makinley Hester, being a Notary Public in the State of Kentucky at Large, do hereby state that Philip Crawford, Chairman of the Board of Commissioners, of the Bracken County Water District and Derick Bach, manager, who are both personally known to me, have signed, sworn, and acknowledged before me this the 21<sup>st</sup> day of August, 2024.

  
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF KY AT LARGE

MY COMMISSION EXPIRES: 12-28-27  
NOTARY ID: KYNP84040

**CERTIFICATION**

I, Chairman of the Board for the Augusta Brooksville Bracken Industrial Authority, hereby certify that I have read over the foregoing responses, specifically, numerical paragraphs 1, 2, & 3, and 6, and that all averments and statements stated in those paragraphs, are true and accurate to the best of my knowledge and belief.

*Earl Bush*

**EARL BUSH, CHAIRMAN OF BOARD  
ABBIA**

COMMONWEALTH OF KENTUCKY

COUNTY OF Bracken

I, Makinley Hester, being a Notary Public in the State of Kentucky at Large, do hereby state that Earl Bush, Chairman of the Board of Commissioners, of the Augusta Brooksville Bracken Industrial Authority ("ABBIA"), who is personally known to me, has signed, sworn, and acknowledged before me this the 21<sup>st</sup> day of August, 2024.

*Makinley Hester*

NOTARY PUBLIC, STATE OF KY AT LARGE

MY COMMISSION EXPIRES: 12-28-27

NOTARY ID: KYNP84040

Respectfully submitted,

/s/ JESSE P. MELCHER, ESQ.  
BRACKEN COUNTY WATER DISTRICT,  
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