

BEFORE THE KENTUCKY
PUBLIC SERVICE COMMISSION

ELECTRONIC INVESTIGATION INTO WOOD)
CREEK WATER DISTRICT’S TERMINATION OF)
WHOLESALE WATER SERVICE TO THE CITY OF) No. 2024-00359
LIVINGSTON FOR NONPAYMENT OF BILLS)
)

**INTERIM RESPONSE OF WOOD CREEK WATER DISTRICT and REQUEST
TO HOLD IN ABEYANCE**

The following is not a traditional Response to the PSC’s Order; because of the unique nature of the status of this situation, this is filed as more of a status report and undersigned is hopeful that it will be taken in the spirit in which it is offered.

On November 26, 2024, at the invitation of Rockcastle County Judge Hal Holbrook, representatives of Wood Creek Water District met at the Rockcastle County Courthouse with Livingston Mayor Sandi Singleton and representatives of Kentucky American Water, Judge Holbrook, Kentucky Infrastructure Authority (“KIA”), Kentucky Division of Water, a representative of this Commission (“PSC”), and other agencies and groups to discuss and work to a possible resolution of the admitted failure by the City of Livingston to pay for water provided by Wood Creek Water District. The payments from Livingston have been sporadic both in terms of amounts and frequency; there is presently an admitted total amount due and owing of one hundred and four thousand seven hundred and thirty-five dollars and seventy-seven cents (\$104,736.77). This indebtedness occurred over a period of time and after promises by Livingston to Wood Creek that the debt would be paid. It obviously has not been paid.

Based on the stated intentions of the parties attending that the November 26th meeting, Wood Creek requests that this interim response be accepted at this time, that this matter be held in abeyance until such time there is either an agreement or no agreement of the parties is reached.

Based on the information provided at the meeting, the parties agree that the total amount indebtedness owing to Wood Creek by the City of Livingston is \$104,735.77. KIA indicated at the meeting that it has begun processing a request and application from the City of Livingston and will be paying to Wood Creek the sum of \$57,000 no later than December 25, 2024 “within 3-4 weeks, but no later than December 25”). If this payment is made, Wood Creek has agreed that it will not cut off the water it is providing to the City of Livingston, **provided** Livingston makes good faith, regular payments of its water bills and Wood Creek receives the \$57,000 payment before December 25, 2024 and that discussions occur and some agreement of the status of the water system be reached between Wood Creek and Livingston as soon as possible.

Mayor Singleton of Livingston stated that she will begin immediate negotiations with Wood Creek, Ky American Water or another entity of Livingston’s choosing to operate the water and possibly sewer systems in the City of Livingston. Mayor Singleton expressed significant concerns, as did others attending the meeting about the poor physical condition of the both the water and sewer systems and indicated that Livingston does not have the expertise to operate the systems or bring them into a state of repair to prevent the enormous amount of water that is being lost. The Kentucky Division of Water has imposed fines and penalties on Livingston because of the water issues. Wood Creek has agreed to negotiate with the City of Livingston regarding the possibility of Wood Creek’s operation of the water and (possibly) the sewer system of Livingston. At this time, we do not know if those negotiations will be successful. If an amicable result for both Livingston and Wood Creek can be reached, it will benefit both parties, neither of which are benefiting at this time.

For all of these reasons, Wood Creek respectfully requests that this matter be held in abeyance until one or more of the parties hereto requests otherwise. If the negotiations are unsuccessful or do not occur soon, Wood Creek will ask that this matter proceed.

Respectfully submitted,

/s/ Larry G. Bryson

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by e-filing to the following:

Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, Kentucky 40602

This the 2nd day of December, 2024.

/s/ Larry G. Bryson

Larry G. Bryson