

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN ELECTRONIC INVESTIGATION INTO CITY)
OF FALMOUTH'S THREAT OF INVESTIGATION)
OF WHOLESALE WATER SERVICE TO EAST)
PENDLETON WATER DISTRICT AND)
PENDLETON COUNTY WATER DISTRICT)

CASE NO.
2024-00403

AGREED ORDER

Whereas, the City of Falmouth, has filed Notice and supporting Attorney General and Kentucky Supreme Court law, regarding a sale of water contract exceeding 20 years, pursuant to Section 164 of the Kentucky Constitution; and

Whereas, Falmouth and the Districts are desirous of entering into an agreed order to provide for the execution of a lawful contract; and

It is therefore agreed, as follows:

That the City of Falmouth agrees to continue to provide water to East Pendleton Water District and Pendleton County Water District on an interim basis and further agrees to conduct a rate study with Rural Water at the expense of the City of Falmouth. Districts have been advised that Rural Water will only contract with a single entity, but Districts shall be involved in all aspects of the rate study, including but not limited to Falmouth's complete costs of water production and reserve the right to recoup through a Purchase Water Adjustment (PWA) per 807 KAR 5:068. That upon the conclusion of the rate study and any review of the rates by the PSC, the wholesale water rate will be effective January 1, 2025, regardless of the amount charged and/or paid by the parties. Any refund or payment owed will be made within 30 days of the rate study and its effective date by the PSC.

So Ordered this ____ day of January 2025.

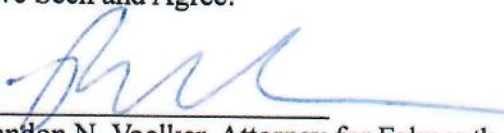
Public Service Commission

Chairman

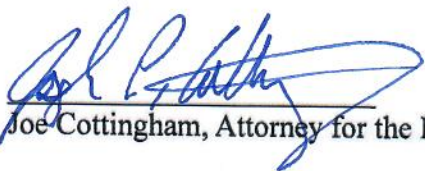
Commissioner

Commissioner

Have Seen and Agree:



Brandon N. Voelker, Attorney for Falmouth



Joe Cottingham, Attorney for the Districts