

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

**IN THE MATTER OF:**

<b>ELECTRONIC APPLICATION OF UNION</b>	<b>)</b>	
<b>COUNTY WATER DISTRICT FOR A</b>	<b>)</b>	<b>CASE NO.</b>
<b>DECLARATORY ORDER</b>	<b>)</b>	<b>2025-00182</b>

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**VERIFIED APPLICATION**

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Comes now Union County Water District (“Union County Water”), by and through the undersigned counsel, pursuant to 807 KAR 5:001 Section 19 and other applicable law, and does hereby submit its Application for the Commission to declare that Union County Water does not need a Certificate of Public Convenience and Necessity (“CPCN”) to repair or replace its water tower or its chlorine pump house after suffering damage after a tornado struck Union County, Kentucky. Union County Water also is seeking a declaratory order that it does not need to post an advertisement for bids before receiving estimates for the repairs. Union County Water is respectfully requesting the Commission to issue its decision as quickly as possible due to the time sensitive nature of repairing/replacing the water tank on the water tower and the chlorine pump house. As grounds for this Application, Union County Water respectfully states as follows:

**INTRODUCTION AND BACKGROUND**

On May 16, 2025 an EF-3 tornado touched down in Union County, Kentucky. The tornado caused widespread damage throughout Union County. Union County Water’s Davis Water Tower located on Robinson Road was damaged. The top of the tank has collapsed inward. At this time, the tank is still operational, but will need to be repaired/replaced. In addition to the Davis Water Tower, Union County Water’s chlorine pump house was damaged.

## **REQUEST FOR DECLARATORY ORDER**

Union County Water requests the Commission issue a declaratory order confirming that Union County Water does not need a CPCN to repair/replace its Davis Water Tower or its chlorine pump house. Union County Water's insurance company, Tokio Marine, will be covering the costs of the replacement and/or repairs to the damaged property. Union County Water is seeking FEMA assistance for the insurance deductible, or any other costs Union County Water may incur that are not recoverable through insurance. Union County Water received a CPCN to build the Davis Water Tower in Case No. 1999-00160.<sup>1</sup> Union County Water will need to remove and replace the top of the Davis Water Tower as soon as possible to continue to provide safe and reliable water service to its customers. Union County Water will be repairing and/or replacing the Davis Water Tower on the same site as it exists today and will also be repairing and/or replacing the chlorine pump house in the same location as it exists today. Tokio Marine and/or FEMA will be paying for the replacement and/or repair of the Davis Water Tower and the chlorine pump house. Since this is strictly a replacement or repair of existing buildings that are necessary due to a tornado, Union County Water does not believe that it needs to file an application for a CPCN for these projects. In addition, Union County Water normally must advertise for bids prior to receiving estimates on this type of project. Due to the state of emergency that was declared, Union County Water does not believe it needs to advertise for bids prior to receiving estimates on these projects.

## **CONCLUSION**

For the foregoing reasons, Union County Water respectfully requests that the Commission enter a declaratory order declaring that Union County Water does not need a CPCN for the

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<sup>1</sup> *In the Matter of: The Application of Union County Water District, Union County, Kentucky (1) For a Certificate of Public Convenience and Necessity Authorizing Construction of Major Additions and Improvements to its Water Distribution System, (2) Seeking Approval of Revised Water Service Rates and Charges and (3) Seeking Approval of the Issuance of Certain Securities*, Case No. 1999-00160, Order, (Ky. P.S.C. May 17, 1999).

rebuilding and repairing of its Davis Water Tower and chlorine pump house that were destroyed/damaged in the May 16, 2025 tornado.

Dated this 5<sup>th</sup> day of June 2025.

## VERIFICATION

STATE OF KENTUCKY                   )  
   )       SS:  
COUNTY OF UNION                  )

The undersigned, Gary Sheffer, first being duly sworn, deposes and says that he is the General Manager of Union County Water District, that he has personal knowledge of the matters set forth in the foregoing, and that the information contained therein is true and correct to the best of his knowledge, information and belief.

UNION COUNTY WATER DISTRICT

By: Gary Sheffer

GARY SHEFFER  
GENERAL MANAGER  
Union County Water District

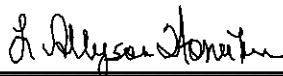
Subscribed and sworn to before me by Gary Sheffer, General Manager for Union County Water District, on this 4<sup>th</sup> day of June, 2025.

Al Chapman  
NOTARY PUBLIC

Notary ID#: KYNP44659

My Commission Expires: 2/7/2026

Respectfully submitted,



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L. Allyson Honaker

Heather S. Temple

Meredith L. Cave

**HONAKER LAW OFFICE, PLLC**

1795 Alysheba Way, Suite 1203

Lexington, Kentucky 40509

(859) 368-8803

allyson@hloky.com

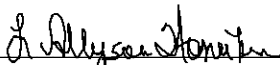
heather@hloky.com

meredith@hloky.com

*Counsel for Union County Water District*

**CERTIFICATE OF SERVICE**

This is to certify that foregoing electronic filing was transmitted to the Commission on June 5, 2025 that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



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*Counsel for Union County Water District*