COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF)
KENTUCKY RURAL WATER)
ASSOCIATION FOR ACCREDITATION) CASE NO. 2025-00271
APPROVAL OF COMMISSIONER)
TRAINING AND CONTINUING)
EDUCATION CREDIT)

APPLICATION

Kentucky Rural Water Association ("KRWA" or the "Applicant") applies for an Order from the Public Service Commission accrediting and approving a proposed water district commissioner training program for continuing education credit pursuant to KRS 74.020(6) and (7) and 807 KAR 5:070.

In support of its application, KRWA states:

- 1. KRWA is a non-profit corporation incorporated in the Commonwealth of Kentucky pursuant to KRS Chapter 273 on March 19, 1979, and is currently in good standing.
- 2. KRWA's mailing address is: 1151 Old Porter Pike, Bowling Green, Kentucky 42103. Its email address is: j.cole@krwa.org.
- 3. KRWA was organized to foster professionalism in the water and wastewater industry through non-regulatory training, technical assistance programs, and advocacy. Its membership consists of water districts, water associations, municipalities 25,000 or less service connections, or other similar entities that provide water and wastewater utility services to rural Kentucky.
- 4. Pursuant to 807 KAR 5:001, Section 4(8), ¹ copies of all orders, pleadings, and other communications related to this proceeding should be directed to:

Damon Talley
Stoll Keenon Ogden PLLC
112 North Lincoln Boulevard
PO Box 150 Hodgenville, Kentucky 42748
Telephone: (270) 358-3187
Fax: (270) 358-9560

damon.talley@skofirm.com

¹On August 12, 2025, KRWA gave notice pursuant to 807 KAR 5:001, Section 8, of its intent to file this application and of its use of electronic filing procedures.

Janet Cole

Kentucky Rural Water Association 1151 Old Porter Pike Bowling Green, KY 42103

Telephone: (270) 843-2291 Fax: (270) 796-8623 j.cole@krwa.org

- 5. KRWA proposes to sponsor and conduct a water management training program on September 27, 2025, at the Purchase Area Development District, in Mayfield, Kentucky. The program is entitled "Water Commissioner Training." A copy of the proposed agenda is attached to this Application at **Exhibit 1**. This program will be conducted in-person.
- 6. As reflected in Exhibit 1, the proposed training program will include presentations on the following topics:
- a. It's a Sunshine Day: An Overview of Sunshine Laws in Kentucky Water districts are public agencies. As such, knowledge and compliance with the Kentucky Open Records Act and Kentucky Open Meetings Act needs to be top of mind. Water districts must be prepared to deal with the array of legal questions that arise under those laws;
- b. Questions That Water and Wastewater Utility Boards Should Ask About Their Utility's Finances. Water utility board meeting agendas typically include a review of the utility's finances. This may include an income statement and a list of invoices paid during the previous month. While this information is necessary and appropriate for staff to prepare in anticipation of the annual audit and financial report, it may not provide sufficient information for commissioners and elected officials to assess the financial health of the utility. This presentation is intended to provide practical tools and recommended practices for water utility boards and management to prepare and present utility financial information;
- c. What to expect During a PSC Inspection. This presentation provides utility professionals with a comprehensive overview of the Kentucky Public Service Commission's (PSC) inspection process. Participants will gain an understanding of how inspections are scheduled, conducted, and evaluated, as well as the documentation and records required for compliance. The session also covers key areas of concern—particularly excessive water loss—and outlines how utilities can proactively address deficiencies and improve outcomes. Attendees will learn about the PSC's evolving risk-based inspection model, performance metrics, and regulatory expectations. This presentation is essential for utility managers, board members, and staff seeking to maintain compliance, avoid formal actions, and support the utility's financial and operational stability;

- e. **Communications: Day to Day Basics.** This presentation emphasizes the critical role of clear, respectful communication within utility organizations and with the public. It defines communication as both the exchange of information and the building of personal rapport, highlighting that effective communication begins internally—how staff talk to each other and share essential information affects overall service. Ultimately, the presentation encourages organizations to develop a unified communication strategy, practice active listening, and continually reassess their communication plans to adapt to changing needs;
- d. **Reducing Water Loss Step by Step.** Excessive water loss is one of the most common regulatory problems among PSC-governed water utilities. This session aims to highlight the value of water and equip decision-makers with tools to manage it effectively. Topics will include water accountability, calculate the value of lost water, and utilize reports for tracking water usage, such as monthly and annual reports. The discussion will also cover expected system demand and its implications for utilities, data collection, distribution management, and methods for identifying and addressing water loss.
- 7. The proposed training program consists of six hours of instruction and should be accredited and approved as water management training satisfying the requirements set forth in KRS 74.020(7) to establish a water district commissioner's eligibility for a maximum annual salary of \$6,000. KRWA is not requesting that the proposed training program be accredited as a program of instruction for newly appointed commissioners.
- 8. A biographical statement containing the name and relevant qualifications and credentials for each presenter is attached at Exhibit 2 of this application.
- 9. The PowerPoints for these presentations are attached at **Exhibit 3**. A copy of these presentations will be provided to each attendee. Should a presenter revise or amend his or her presentation prior to their scheduled session or provide additional written materials for the attendees, KRWA will include a copy of the revised presentation with its sworn statement and report regarding the instruction.
- 10. KRWA has sent notice of the proposed training program by electronic mail to the water districts, water associations, and municipal utilities that are under Commission jurisdiction as well as representatives of investor-owned utilities, county judge/executives, county attorneys and others located in the Purchase ADD, the Pennyrile ADD, and the Green River ADD who are believed to have an interest in the Proposed program's subject matter.
- 11. KRWA will retain a record of all water district commissioners attending the proposed training program.

- 12. Within the Ordered number of days of the proposed training program's completion, KRWA will file with the Public Service Commission a sworn statement:
 - a. Attesting that the accredited instruction was performed;
- b. Describing any changes in the presenters or the proposed program curriculum that occurred after certification; and,
- c. Containing the name of each attending commissioner, his or her water district and the number of hours that he or she attended.
- 13. KRWA will include with the sworn statement documentary evidence of the program's certification by certifying authorities and a copy of any written material given to the attendees that has not been previously provided to the Public Service Commission.
- 14. KRWA will admit representatives of the Public Service Commission to the proposed training program at no charge to permit such representatives to assess the quality of the program's instruction, monitor the program's compliance with the Public Service Commission directives, regulations, or other requirements, or perform any other supervisory functions that the Public Service Commission deems necessary.

WHEREFORE, KRWA requests that the Commission approve and accredit the proposed training program entitled "Water Commissioner Training" for six hours of water district management training.

Dated: August 15, 2025 Respectfully submitted,

Damon R. Talley

Stoll Keenon Odgen PLLC
112 North Lincoln Boulevard

PO Box 150

Hodgenville, Kentucky 42748 Telephone: (270) 358-3187

Fax: (270) 358-9560

damon.talley@skofirm.com

Counsel for Kentucky Rural Water Association and Stoll Keenon Ogden PLLC

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that this document was submitted electronically to the Public Service Commission on August 15, 2025, and that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding.

Damon R. Talley

EXHIBIT 1

WATER COMMISSIONER TRAINING

Purchase Area Development District

1002 Medical Drive Mayfield, KY 42066 Presented by

Kentucky Rural Water Association

Saturday, September 27, 2025

AGENDA

Morning Sessions

7:30 Coffee & Donuts

7:45 – 8:00 Welcome and Program Overview

Joe Burns, Kentucky Rural Water Association

8:00 – 9:00 It's a Sunshine Day: An Overview of Sunshine Laws in Kentucky

Glenn D. Denton, Denton Law Firm PLLC

Water districts are public agencies. As such, knowledge and compliance with the Kentucky Open records Act and Kentucky Open Meetings Act needs to be top of mind. Water districts must be prepared to deal with the array of legal questions that arise under those laws. This presentation intends to refresh every board member's and employee's appreciation and understanding of these important laws.

9:00-9:10 Break

9:10 – 10:40 Questions That Water and Wastewater Utility Boards Should Ask About Their

Utility's Finances

Robert Miller, StraightLine Kentucky, LLC

Water utility board meeting agendas typically include a review of the utility's finances. This may include an income statement and a list of invoices paid during the previous month. While this information is necessary and appropriate for staff to prepare in anticipation of the annual audit and financial report, it may not provide sufficient information for commissioners and elected officials to assess the financial health of the utility. This presentation is intended to provide practical tools and recommended practices for water utility boards and management to prepare and present utility financial information.

10:40-10:50 Break

10:50 – 11:50 What to Expect During a PSC Inspection Jasper Wyatt, Kentucky Rural Water Association

This presentation provides utility professionals with a comprehensive overview of the Kentucky Public Service Commission's (PSC) inspection process. Participants will gain an understanding of how inspections are scheduled, conducted, and evaluated, as well as the documentation and records required for compliance. The session also covers key areas of concern—particularly excessive water loss—and outlines how utilities can proactively address deficiencies and improve outcomes. Attendees will learn about the PSC's evolving risk-based inspection model, performance metrics, and regulatory expectations. This presentation is essential for utility managers, board members, and staff seeking to maintain compliance, avoid formal actions, and support the utility's financial and operational stability.

Afternoon Sessions

11:50-12:50 Lunch

12:50 – 2:20 p.m. Communications: Day to Day Basics

Pete Conrad, Kentucky Rural Water Association

This presentation emphasizes the critical role of clear, respectful communication within utility organizations and with the public. It defines communication as both the exchange of information and the building of personal rapport, highlighting that effective communication begins internally—how staff talk to each other and share essential information affects overall service. Ultimately, the presentation encourages organizations to develop a unified communication strategy, practice active listening, and continually reassess their communication plans to adapt to changing needs to maintain compliance, avoid formal actions, and support the utility's financial and operational stability.

2:20-2:30 Break

2:30- 3:30 Reducing Water Loss Step by Step Joe Burns, Kentucky Rural Water Association

Excessive water loss is one of the most common regulatory problems among PSC-governed water utilities. This session aims to highlight the value of water and equip decision-makers with tools to manage it effectively. Topics will include water accountability, calculate the value of lost water, and utilize reports for tracking water usage, such as monthly and annual reports. The discussion will also cover expected system demand and its implications for utilities, data collection, distribution management, and methods for identifying and addressing water loss.

EXHIBIT 2



GLENN D. DENTON

PARTNER

Glenn David Denton began his legal career on July 31, 1995. Graduating from Paducah Tilghman High School, Centre College, and Chase College of Law, he returned to Paducah to practice with his father and the staff that watched him grow up. After twenty-five years, a broad range of legal experiences, and more than fifteen trials to verdict, he enjoys providing legal services and advice to clients today more than ever. Glenn counsels with clients regularly on how to avoid litigation and solve their problems before ending up in court. He believes that ending up in a lawsuit is not the best option to resolve differences. He represents individuals, small business owners, corporations, cities, and counties on a regular basis. He takes his role as a counselor as seriously as his role as a litigator. He is licensed to practice before the United States Supreme Court as well as federal and state courts throughout Kentucky and Illinois. He frequently serves as local counsel to out-of-state attorneys practicing in the region. From the purchase of a home, to a will contest, to courtroom litigation between competitors, to economic development projects. Glenn has developed a high profile and respected reputation to handle all types of legal matters in western Kentucky and Southern Illinois. In 2005, he was awarded the Chase Alumni Association's Outstanding Recent Alumnus award.

Through his civic work, Glenn knows the Jackson Purchase region and the Commonwealth of Kentucky well. Early in his career, he taught real estate law as an adjunct professor at the local community college. Glenn is a past chairman of the Paducah Area Chamber of Commerce and current chairman of the Paducah-McCracken County Convention and Visitors Board serving a second tour of duty. He serves on the board of directors for Paducah Bank and Trust Company which has over \$500 million in assets. He serves on the Mercy Health Lourdes Board and is past chair of the Mercy Health Foundation-Lourdes Board. He also serves as treasurer and audit and finance committee chairman for the board for Lawyers Mutual Insurance Company of Kentucky which provides legal malpractice insurance to lawyers throughout Kentucky. In 2008, Kentucky Governor Steve Beshear appointed Glenn to the Kentucky Council on Postsecondary Education which is responsible for coordinating higher education in the Commonwealth. He was re- appointed to the Kentucky Council on Postsecondary Education in 2012 and confirmed both times by the Kentucky General Assembly. He served on Council Postsecondary Education for almost nine (9) years and as chair from 2015-2017.

Glenn is also a member of the International Association of Defense Counsel. IADC is an invitation-only professional association for corporate and insurance defense attorneys throughout the world. Members are distinguished partners in large and small law firms, senior counsel in corporate and insurance law departments, and insurance executives.

Education

- Centre College (B.A., 1992)
- Salmon P. Chase College of Law (J.D., 1995)

Admitted to Practice

- U.S. Supreme Court
- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Western District of Kentucky
- U.S. District Court, Eastern District of Kentucky
- U.S. District Court, Southern District of Illinois
- Admitted to Practice in Kentucky
- Admitted to Practice in Illinois

Representative Assignments and Cases

- Successfully represented a family-owned gun shop when the Bureau of Alcohol, Tobacco & Firearms attempted to revoke its license to sell guns
- Secured a defense verdict for a small business owner when her competitor brought suit on claims pertaining to business torts in an attempt to halt the start-up of her new business
- Obtained dismissals and summary judgments on behalf of various cities pertaining to personal injury claims brought against them
- Successfully argued before the Kentucky Court of Appeals when a state licensing board tried to revoke a health professional's license to do business
- Represented a nationally-based, interactive marketing company in its sale to a Silicon Valley-based venture capital company
- Guided a local client with a multi-state presence to the successful conclusion of trademark litigation brought against it, including hiring an out-of-state law firm for litigation services
- Tried a mobile home fire case to jury verdict and mitigated the damages sought from his client
- Tried three real estate cases to verdict involving issues pertaining to a boundary line, an easement and a farm lease, respectively
- Successfully settled an employment case brought directly by the Equal Employment Opportunity Commission against a local employer
- Served as local counsel for large corporations in an alleged benzene personal injury case brought in state court ending with summary judgment being granted to all defendants
- Successfully defended a will contest case and obtained a judgment on a counter-claim for defamation
- Completed a land transfer involving the United States Army Corps of Engineers
- Provided services for the completion of an economic development project involving a city, a county, purchaser, bond holders and lease holder

Professional Memberships and Affiliations

- McCracken County Bar Association
- Kentucky Bar Association
- Illinois Bar Association
- Chase College of Law Alumni Association

Professional/Personal Achievements

- Chairman and member, Lourdes Foundation Board, 2014-2023
- Board member-Mercy Health Lourdes Board, 2019-Present
- Treasurer and board member, Lawyers Mutual Insurance Company of Kentucky, 2006-present
- Past Chairman and member, Kentucky Council on Postsecondary Education, 2008-2017
- Past Chairman, American Red Cross Heroes Campaign
- Past Chairman, McCracken County Democratic Party Executive Committee
- Past Chairman, Paducah Area Chamber of Commerce
- Past Chairman, and current chairman, Paducah-McCracken County Convention and Visitors Bureau
- Past Chairman, Paducah Summer Festival Committee
- Adjunct Professor of Real Estate, Paducah Community College, 1999-2002

Articles

- Closing a Kentucky Law Office: A Guide for After the Death of a Kentucky Sole Practitioner
- EKU Ensuring a Brighter Future For All Kentuckians
- A Guide to Protecting Nonprofit Board Members
- Doing One More Thing to Prevent Fraud Guarding Against the Fake Check With Positive Pay



Robert K. Miller StraightLine Kentucky

QUALIFICATIONS

EDUCATION

Bachelors–Management and Finance, University of Louisville, 1979 Masters-Business Administration and Finance, Indiana University 1982

YEARS OF EXPERIENCE: 38

SPECIALIZATION

Senior Executive in Drinking Water, Wastewater, and Stormwater Industry

PROFESSIONAL AFFILIATIONS

American Water Works

Association QualServe Peer Reviewer

AWWA Business Practices Standards Committee Member Vice-Chair (past)

AWWA Utility Management Standards Committee Member (past)

AWWA Finance, Accounting, and Management Controls Committee Chair (past)

AWWA Management Controls Sub-Committee Chair (past)

AWWA Research Foundation Project Participating Utility Member (past)

National Association of Clean Water Agencies, Utility and Resource Management Committee (past)

Professional Profile

Senior utility executive with 38+ years of experience in the drinking water, wastewater, and stormwater industry, including: executive management, strategic planning, policy development, customer service, information technology, and program management. Advocate for sustainability of water infrastructure and affordability for low-income customers. Education includes a Bachelor and Master degrees in business management and finance.

Qualifications and Experience

StraightLine Kentucky, Louisville, KY

2021 – Present Consultant

Advisor to drinking water, wastewater, and stormwater utility managers, regulatory officials, elected officials, and service providers.

City of Jackson, Mississippi

2017 - 2020 Director of Public Works

Executive management of Drinking Water, Wastewater, Stormwater, Solid Waste, Streets, Facilities, Fleet, and Warehouse operations and maintenance.

Sewerage and Water Board of New Orleans, Louisiana

2009 – 2017 Deputy Director / Interim Executive Director

Administrative management of Strategic Planning, Accounting, Budgeting, Purchasing, Customer Service, Human Resources, Information Technology, Risk Management, Fleet Maintenance, Warehouse, Internal Audit, and other operations support services.

Municipal and Financial Services Group, Maryland

2008 - 2009 Senior Manager

Management consultant to water and wastewater utilities focusing on enterprise risk management, internal control, financial analysis, and rate studies.

Louisville Water Company, Kentucky

1991 - 2008 Vice President

Administrative management of Finance, Information Technology, Risk Management, Business Planning, Human Resources, and Board Relations



Jasper Wyatt

Jasper Wyatt has been with Kentucky Rural Water Association since March 2022. Jasper currently assists utilities with GIS/Mapping and asset management along with providing utilities technical and managerial assistance. Prior to joining the KRWA staff, Mr. Wyatt was employed at Dexter Almo Heights Water District (2002-2009; 2013-2022), becoming the System Manager in 2013 where he was responsible for the distribution operations and the managerial operations of the district. He also was a Water Management Coordinator for the Purchase Area Development District (2011-2013), with experience in assisting utilities in securing funding, project planning and GIS. Jasper holds a Bachelor of Science degree in Civil Engineering Technology from Murray State University.



Pete Conrad

Pete is a self-proclaimed reformed Yankie having grown up in the North suburbs of Chicago. After a tour in the United States Marine Corps, he started working in various utility fields in 1998. His career started in the cable television field eventually also working in electric, telephone, and natural gas utilities as well.

After receiving a degree in History and Political Science from Southern Illinois University-Carbondale, Pete started working as the infrastructure planner at the Green River Area Development District. While working at the ADD, he learned to work on a variety of loans and grants alongside water and sewer systems, their leadership, and engineers. Pete gained not only experience, but a deeper appreciation for the systems he worked with and had the opportunity to become the Superintendent of the Henderson County Water District in 2013. As the Superintendent, he worked with everyone from customers and employees to elected officials and regulatory agencies. He also gained greater appreciation, and valued the importance of sharing ideas and knowledge across utilities.

Pete joined KRWA in January 2024 to help systems complete their respective Service Line Inventories. Pete will continue with that to a lesser degree now that the inventories have been submitted, with his focus shifting to working with systems in a few new directions.



Joe Burns

Joe has been with Kentucky Rural Water Association since April 1994. Prior to joining the KRWA staff, Mr. Burns was a Senior Groundwater Hydrologist for the Kentucky Division of Water beginning in July 1991 where he focused on water supply protection. Joe holds Bachelor of Science and Master of Science degrees in Geology from Eastern Kentucky University.

In his present position as Director of Programs and Operations. He is responsible for the administration and implementation of KRWA's technical assistance programs. These programs provide training, technical, financial, and managerial assistance to utilities throughout the Commonwealth. Joe also serves as the coordinator of the Kentucky Water/Wastewater Agency Response Network. KYWARN has played an integral role in disaster response and restoring water and wastewater services to communities since 2009.

EXHIBIT 3



It's a Sunshine Day: An Overview of Sunshine Laws in Kentucky

Presented by
Glenn D. Denton
Denton Law Firm, PLLC
555 Jefferson Street, Suite 301
Paducah, KY 42001
Phone: 270-450-8253
Fax: 270-450-8259

E-Mail: gdenton@dentonfirm.com

1

So, what are sunshine laws in the first place?



By definition, sunshine laws are simply:

 A statute (or statutes) requiring a governmental department or agency to open its meetings or its records to public access.
 See Black's Law Dictionary, Ninth Edition (2009).

3

At the **federal** level, there are two (2) sources of law that govern open records and open meetings:

- The Government in the Sunshine Act of 1976 (dealing with open meetings).
- The Freedom of Information Act (FOIA) (dealing with open records).
- Both can be found within 5 U.S.C. § 552.
- These are primarily applicable to the federal government and federal government agencies.

Δ

In Kentucky, there are two (2) sources of law governing open records and open meetings:

- The Kentucky Open Records Act (KORA).
- The Kentucky Open Meetings Act (KOMA).
- We will examine each of these acts in turn.



5

KENTUCKY OPEN RECORDS ACT

- In 1976, the Kentucky General Assembly first adopted the Kentucky Open Records Act (codified at KRS 61.870, et seq.) which establishes a right of access to public records.
- The Kentucky General Assembly adopted the Kentucky Open Records Act because they recognized that the free and open examination of public records is in the public interest.
- But, the Act is not without limitation.

Applicability of the Kentucky Open Records Act

- Generally speaking, all public records
 (whether they are stored electronically or on paper), must be open for inspection unless they are exempted by statute.
- Moreover, the Kentucky Open Records Act applies to public records maintained by state and local government agencies.

7

Entities Covered Under the Act Include:

- State and local government officers, departments, and legislative bodies;
- County and city governing bodies, school district boards, special district boards, and municipal corporations;
- State or local government agencies created by statute or other executive and legislative acts;
- Bodies created by state or local authority in any branch of government;
- Bodies that receive at least 25% of their funds from state or local authority within any fiscal year (subject to a few exclusions);
- An entity where the majority of its governing body is appointed by a public agency;
- Agencies created and controlled by public agencies; and
- Interagency bodies of two or more public agencies;

So what does the Kentucky Open Records Act actually require?

- Subject to certain specifically delineated exceptions, records that are prepared, owned, used, possessed, or retained by a public agency are public records and must be made AVAILABLE for inspection upon request from a resident of the Commonwealth.
- In other words, a covered entity only needs to make nonexempt records <u>available</u> for inspection to a <u>resident of the</u> Commonwealth during regular office hours of the agency.
- The public agency may require the request to be in writing, but the public agency must accept a request that has been submitted by mail, fax, or e-mail.
- In any circumstance, the requester must precisely describe the records sought to be inspected.

9

"Resident of the Commonwealth"

"Resident of the Commonwealth" means:

- (a) An individual residing in the Commonwealth;
- (b) A domestic business entity with a location in the Commonwealth;
- (c) A foreign business entity registered with the Secretary of State;
- (d) An individual that is employed and works at a location or locations within the Commonwealth;
- (e) An individual or business entity that owns real property within the Commonwealth;
- (f) Any individual or business entity that has been authorized to act on behalf of an individual or business entity defined in paragraphs (a) to (e) of this subsection; or
- (g) A news-gathering organization as defined in KRS 189.635(8)(b)1.a. to e.

Additionally, the Act requires every covered entity must adopt rules and regulations describing:

- The principal office of the public agency and its regular office hours;
- The title and address of the official custodian of records;
- The fees charged for copies (which may or may not be constitutional...more on that later); and
- The procedures to be followed in requesting public records. *See* 200 KAR 1:020.

11

And, new for 2021...

 The public agency must display in a prominent location accessible to the public, including on its website, a copy of its rules and regulations pertaining to public records, including the mailing address, e-mail address, and phone number of the official custodian of records <u>AND</u> the form promulgated by the attorney general that <u>may be</u> used to request public records.

Procedure for Requesting Inspection of Public Records

- If required by the public agency, a <u>resident of the commonwealth</u> must make a specific request to the official custodian of the public agency's records. The custodian may require that the request be in writing.
- The application must also include a declaration that the request is not for a commercial purpose and that it is from a resident of the commonwealth (as defined by statute).
- The application for inspection shall be hand-delivered, mailed, sent via fax, or e-mailed to the public agency's custodian of public records.
- The public agency must respond to the request in writing within five (5) days (excluding Saturdays, Sundays, and legal holidays). BUT, the public agency is not required to produce the records for inspection within five (5) days.
- If the request is denied, the response must include a statement of the specific exception which authorizes the agency to withhold the record and how the exception is applicable.

13

So, what records are exempt from public inspection?

- KRS 61.878(1) provides a listing of records that are exempt from inspection (barring a court order).
- The list of exempt records is too long to list here.
- But, in general, most of the exemptions are applicable to records that contain confidential, personal, or otherwise secretive information.

ONLINE ACCESS

- A public agency may provide online access to public records in electronic format.
- The agency may require that the requester enter into a contract, license, or other agreement with the agency vis-à-vis the online public records AND may charge fees (maybe) to access the online public records.
- However, the fees cannot exceed the cost of physical connection to the system and the reasonable cost of computer time access.

15

Appeals/Penalties

- If a public agency denies a request for public records, the requester may file an appeal with the Kentucky Attorney General's Office for review of the agency's actions.
- The Attorney General will review the appeal and issue a decision as to whether the agency violated the Act.
- The burden of proof rests with the agency.
- If the AG sides with the requester and the agency does not appeal, the AG's decision can be enforced in Circuit Court.
- If the requester prevails in circuit court, then he/she can be awarded costs, attorney's fees, and up to \$25.00 per day for each day that he/she was denied the right to inspect the records.
- The Open Records Act also contains criminal penalties for public officials who <u>willfully</u> conceal or destroy records with the intent to violate the Act.

Moving on...



17

KENTUCKY OPEN MEETINGS ACT

- In 1974, the Kentucky General Assembly enacted the Kentucky Open Meetings Act (codified at KRS 61.800, et seq.).
- The General Assembly adopted the Kentucky Open Meetings Act because they recognized that the formation of public policy is public business and should not be conducted in secret.
- Generally speaking, the Act requires that all meetings of quorum of members of a public agency where public business is discussed or action is taken must be held in public.
- Public meetings must be open to the public at all times unless the subject of the meeting falls within one or more of thirteen (13) exceptions found in the statute.

What is a public meeting?

 The Kentucky Open Meetings Act applies to all meetings held by state and local government agencies.



19

The agencies covered under the Kentucky Open Meetings Act include:

- · state and local government boards, commissions, and authorities;
- state and local legislative boards, commissions, and committees;
- county and city governing bodies, councils, school district boards, special district boards, and municipal corporations;
- state and local government agencies, including policy making boards of educational institutions, that are created by state or local statute or other legislative act;
- bodies created by state or local statute or legislative act in the legislative or executive branch of government;
- an entity where the majority of its governing body is appointed by a public agency:
- agencies, including committees, advisory committees, and ad hoc committees, which are established, created, and controlled by a public agency; and
- interagency bodies of two or more public agencies.

What are the general requirements of the Kentucky Open Meetings Act?

- All meetings of public agencies, and committees or subcommittees thereof, must be held at specified times and places which are convenient to the public.
- Public agencies must keep minutes of action taken at every meeting which set forth an accurate record of votes and actions taken. These minutes must be open for inspection by the public no later than the conclusion of the agency's next public meeting.

21

General Requirements of KOMA (Continued)

- To the extent possible, meeting room conditions should allow for effective public observation of the meetings. No person attending the meeting can be required to identify himself in order to attend a meeting.
- Public agencies must permit news media coverage, including recording and broadcasting.
- Public agencies should provide for a schedule of regular meetings by ordinance, order, resolution, bylaws, or by other means.

Public Participation at an Open Meeting

- Under the Kentucky Open Meetings Act, there is no requirement that governmental bodies and public agencies allow members of the general public to speak.
- Many governmental bodies and public agencies permit this as a civic courtesy.
- Members of the public who desire to speak at an open meeting can be required to register/identify themselves as a speaker at a public meeting.
- Additionally, members of the public who desire to speak at an open meeting can be required to adhere to time restrictions (and other restrictions) previously promulgated by the governmental body/agency.

23

Special Meetings

- All meetings which are not regularly scheduled meetings are considered to be special meetings and are subject to special requirements.
- The requirements for special meetings are found in KRS 61.823.
- So, what are the requirements for holding special meetings anyway?

Requirements for Holding Special Meetings

- Who may call a special meeting The presiding officer or a majority of the members of the public agency may call a special meeting.
- · Notice Requirements:
- Contents The public agency shall provide written notice of the special meeting.
 The notice shall consist of the date, time, and place of the special meeting and the agenda. Discussions and action at the meeting shall be limited to items listed on the agenda in the notice.
- · Delivery and Posting
- · To Whom and How Delivered When -
- As soon as possible, written notice shall be delivered personally, transmitted by
 facsimile machine, or mailed to every member of the public agency as well as each
 media organization which has filed a written request, including a mailing address,
 to receive notice of special meetings. The notice shall be calculated so that it shall
 be received at least twenty-four (24) hours before the special meeting. The public
 agency may periodically, but no more often than once in a calendar year, inform
 media organizations that they will have to submit a new written request or no
 longer receive written notice of special meetings until a new written request is
 filed.

25

Posting of Notice Regarding Special Called Meetings

- · Posting of the Notice When -
- As soon as possible, written notice shall also be posted in a conspicuous place in the building where the special meeting will take place and in a conspicuous place in the building which houses the headquarters of the agency. The notice shall be calculated so that it shall be posted at least twenty-four (24) hours before the special meeting.

Emergency Situations

- In the case of an emergency which prevents compliance with the ordinary notice requirements for special meetings, reasonable efforts must be undertaken to notify the public of the special meeting(s) and to limit discussion(s) to the topic(s) for which the emergency meeting was called.
- The emergency meeting shall be called by the presiding officer or a majority of the members of the public agency.
- The public agency shall make a reasonable effort, under emergency circumstances, to notify the members of the agency, media organizations which have filed a written request to be notified, and the public of the emergency meeting.
- At the beginning of the emergency meeting, the person chairing the meeting shall briefly describe for the record the emergency circumstances preventing compliance with the notice provisions. These comments shall appear in the minutes.
- Discussions and action at the emergency meeting shall be limited to the emergency for which the meeting is called.

27

Video Teleconferencing of Meetings

- The Kentucky Open Meetings Act now provides that a public agency may conduct any meeting through video teleconference.
- Notice of a video teleconference must comply with the regular notice requirements of the Kentucky Open Meetings Act <u>AND</u> clearly state that the meeting will be a video teleconference <u>AND</u> provide specific information on how any member of the public or media organization may view the meeting electronically.

Video Teleconferencing of Meetings (Continued)

- The same procedures with regard to participation, distribution of materials, and other matters shall apply in all video teleconference locations.
- Members of the public agency who participate in the video teleconference shall remain visible on camera at all times that business is discussed.

29

And...

- Any interruption in the video or audio broadcast of a video teleconference at any location shall result in the suspension of the video teleconference until the broadcast is restored.
- THIS IS A BIGGIE!!!

What subjects may be discussed in a closed session?

The exceptions to the Kentucky Open Meetings act are found in KRS 61.810(1) and include:

- (a) Deliberations for decisions of the Kentucky Parole Board;
- (b) Deliberations on the future acquisition or sale of real property by a public agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency;
- (c) Discussions of proposed or pending litigation against or on behalf of the public agency;
- (d) Grand and petit jury sessions;
- (e) Collective bargaining negotiations between public employers and their employees or their representatives;
- (f) Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee, member, or student without restricting that employee's, member's, or student's right to a public hearing if requested. This exception shall not be interpreted to permit discussion of general personnel matters in secret;

31

Subjects which may be discussed in a closed session (Continued).

- (g) Discussions between a public agency and a representative of a business entity and discussions concerning a specific proposal, if open discussions would jeopardize the siting, retention, expansion, or upgrading of the business;
- (h) State and local cabinet meetings and executive cabinet meetings;
- (i) Committees of the General Assembly other than standing committees;
- (j) Deliberations of judicial or quasi-judicial bodies regarding individual adjudications or appointments, at which neither the person involved, his representatives, nor any other individual not a member of the agency's governing body or staff is present, but not including any meetings of planning commissions, zoning commissions, or boards of adjustment;
- (k) Meetings which federal or state law specifically require to be conducted in privacy:
- (I) Meetings which the Constitution provides shall be held in secret; and (m) That portion of a meeting devoted to a discussion of a specific public record exempted from disclosure under KRS 61.878(1)(m). However, that portion of any public agency meeting shall not be closed to a member of the Kentucky General Assembly.

QUORUM ISSUES

- The Open Meetings Act prohibits any series of less than quorum meetings, where the members attending one or more of the meetings collectively constitute at least a quorum of the members of the agency, if the meetings are held to avoid the requirements of the Act.
- This prohibition does not restrict discussions between individual members if the purpose of the discussion is to educate the members on specific issues.

33

REMEDIES FOR PERCEIVED VIOLATIONS

- If a person believes that a public agency has violated the Open Meetings Act, he may file a written complaint with the presiding officer of the agency.
- Within three (3) business days of receipt of the complaint, the public agency must decide whether to correct the violation and notify the complaining party of its decision in writing. If the agency believes that no violation has occurred and rejects the proposed remedy, it must issue a written response which cites the statute authorizing its actions and briefly explain how the statute applies.

APPEALS PROCESS

• The complaining party may appeal to the Attorney General for review of the agency's action within sixty days of receipt of the agency's response. The appeal must include a copy of the written complaint and a copy of the agency's response, if the agency issued a denial. The Attorney General will review the appeal and issue a decision stating whether the agency violated the Open Meetings Act within ten business days. Both the complaining party and the agency will receive a copy of the decision. Both may appeal the Attorney General's decision to the circuit court of the county where the public agency has its principal place of business or where the violation occurred. If an appeal is not filed within thirty days, the Attorney General's decision has the force and effect of law and can be enforced in circuit court.

35

DAMAGES

If the complaining party prevails against an agency in circuit court, he may be awarded costs, including attorney fees, if the court finds that the violation was willful. The court may also award the complaining party up to \$100.00 for each violation.

HOT TOPICS REGARDING OPEN RECORDS/OPEN MEETINGS



37

In RE: Phillip Hamm/McCracken County Sheriff's Office (X 2)

22-ORD-109

- On February 17, 2022, the McCracken County Sheriff's Office executed a search warrant at the home of Phillip Hamm.
- On February 22, 2022, Phillip Hamm submitted an open records request to the MCSO requesting various records pertaining to the execution of the search warrant at his home.

22-ORD-109 (Continued)

- Mr. Hamm also requested, "any documents that mention [him] being involved in any type of drug activity."
- The MCSO provided the following response:
 "[T]he documentation [Mr. Hamm] requested will have to be obtained through filing [a]
 Motion of Discovery in [his] court process."
- Mr. Hamm appealed.

39

22-ORD-109 (Continued)

- The AG's office found that the MCSO violated the Kentucky Open Records Act when it denied a request for records without citing an exception to the Act or explaining how the exception applied to the records withheld.
- The AG's office also held that the fact that Mr.
 Hamm was involved in criminal litigation, with
 the opportunity to conduct discovery, did not
 alleviate the MCSO's duty to comply with the
 Kentucky Open Records Act.

22-ORD-157 (More Hamm!)

- On June 22, 2022, Phillip Hamm submitted a request to the MCSO to inspect all body camera footage related to the execution of a search warrant at a specific address on a specific date.
- On June 30, 2022, having received no response from the MCSO, Mr. Hamm initiated an appeal.

41

22-ORD-157 (Continued)

- The AG's office found that the MCSO failed to respond to the open records request within five (5) business days, thereby violating the Kentucky Open Records Act.
- The takeaways: public agencies must respond (in some shape, form, or fashion) to open records requests within five (5) business days AND in the event of a denial of a request for records, must cite the specific exception upon which the denial is based.

Kentucky HB 509

- House Bill 509 was introduced into the Kentucky House of Representatives on February 12, 2024.
- This bill creates new definitions for what constitutes a public records and sets standards for elected and appointed officials using government e-mail.
- This bill passed the Kentucky House 61-31 with amendments.
- This bill is currently in the Kentucky Senate for consideration.

43

Kentucky Open Government Coalition v. KDFWR (2022-CA-0170-MR)

- This Kentucky Court of Appeals decision holds that electronic messages stored on personal cell phones are public records when such messages are prepared by or used by the members of the [Fish and Wildlife Commission] and relate to or concern [Fish and Wildlife Commission] business.
- In a concurring opinion, Judge Chris McNeill wrote that, "Our opinion merely holds that text messages related to Commission business and stored on personal cell phones of its members are public records generally subject to disclosure under the Open Records Act absent an applicable exception."









Let's get it on!



47

WPSD-TV, LLC v. MURRAY STATE UNIVERSITY

- Calloway/Marshall Circuit Court Judge Jamie
 Jameson was removed from the bench by the Judicial
 Conduct Commission (JCC).
- One of the JCC charges concerned Judge Jameson's efforts to pressure former WKMS station manager Chad Lampe to stop investigating a story about Judge Jameson walking around the Marshall County Courthouse in his underwear. (Lampe filed an open records request seeking this security footage.)
- According to WPSD's Complaint, Murray State leadership also contacted Chad Lampe about the same story and his open records request.

So, WPSD submitted an open records request to MSU on 10/20/2022...

- The open records request sought correspondence to/from Murray State President Bob Jackson and others in university leadership about Lampe's open records request.
- The open records request also sought correspondence to/from individuals at WKMS and in the journalism department regarding the open records request

49

Murray State Response to WPSD Open Records Request

- Murray State denied much of WPSD's open records request on the grounds that such records were protected from disclosure under the First Amendment.
- Murray State also asserted that some of the records requested were burdensome to produce.

Murray State did produce some heavily redacted communications...

- The redactions were accompanied by a list of claimed open records exemptions including:
 - The First Amendment
 - The preliminary records exemption of the ORA
 - Attorney-client privilege
 - The personal privacy exemption of the ORA

51

WPSD appealed to the Kentucky Attorney General...

- The Office of the Attorney General (OAG)
 determined that Murray State violated the
 ORA when it invoked the preliminary records
 exemption and simply refused to search for
 other records on the grounds that it was
 unreasonably burdensome.
- The OAG also rejected the argument that emails related to WKMS were protected under the First Amendment.

In response to this AG's opinion...

- Murray State did produce some additional e-mails and other communications (albeit largely redacted).
- WPSD was apparently unhappy about this.
- But, they were also unhappy about the fact that an additional open records request to MSU on November 16, 2022 (which covered a wide range of topics) was also met with a response containing a number of redactions and non-productions based a multitude of open records act exemptions.

53

So, WPSD sued Murray State alleging...

- Willful violations of the Open Records Act due to the responses received from the October 10, 2022 open records request.
- Willful violations of the Open Records Act due to the responses received from the November 16, 2022 open records request.
- That WPSD was entitled to injunctive relief requiring production of non-redacted records and a judgment for costs, attorney's fees, and statutory penalties.

At the end of the day...

• Special Judge John Atkins entered summary judgment for WPSD. In doing so, he found that, after performing an *in camera* examination of the records and redactions (and after reviewing the pleadings and evidence), WPSD misused or misapplied the attorney-client privilege, the personal privacy privilege, and "a near categorical redaction scheme at odds with existing law."

55

Murray State was ordered to...

- Comply with pending open records requests without unreasonable delay with the only redactions being tolerated being the ones concerned with "purely personal or private information such as phone numbers and other personal descriptions."
- AND, WPSD was given ten (10) days to file a motion for costs, attorney's fees, and statutory penalties.

WPSD's Motion for Costs, Attorney's Fees, and Penalties

- WPSD filed a motion with the Court asking for a total of \$40,428.45 in costs and attorney's fees AND \$374,850.00 in statutory penalties!
- Naturally, Murray State objected on the basis that its violations were not willful and that WPSD's requests for costs, fees, and penalties was "gluttonous."
- BUT, WPSD and Murray State ultimately settled this issue, and Murray State agreed to pay WPSD \$132,500.00, which includes \$42,500.00 in attorney's fees. The case was dismissed by stipulation on April 17, 2024.

57

ALMOST THERE!!!



OTHER GENERAL CONSIDERATIONS

 All public agency board members must be provided with the Kentucky Attorney General's publication on open records and open meetings, and each public agency must require board members to acknowledge receipt of this guide (which is a GREAT CURE FOR INSOMNIA!!!!).



59

And speaking of sleep...

- If anyone is still awake, I'd be happy to answer any questions you may have.
- I would also be happy to end this presentation and put an end to your agony!



Thank you for your time today.

• If you do have any additional questions, please feel free to contact me at:

Glenn D. Denton
Attorney at Law
Denton Law Firm, PLLC
555 Jefferson Street, Suite 301
P.O. Box 969
Paducah, KY 42002-0969
Phone (270) 450-8253
Fax (270) 450-8259
gdenton@dentonfirm.com

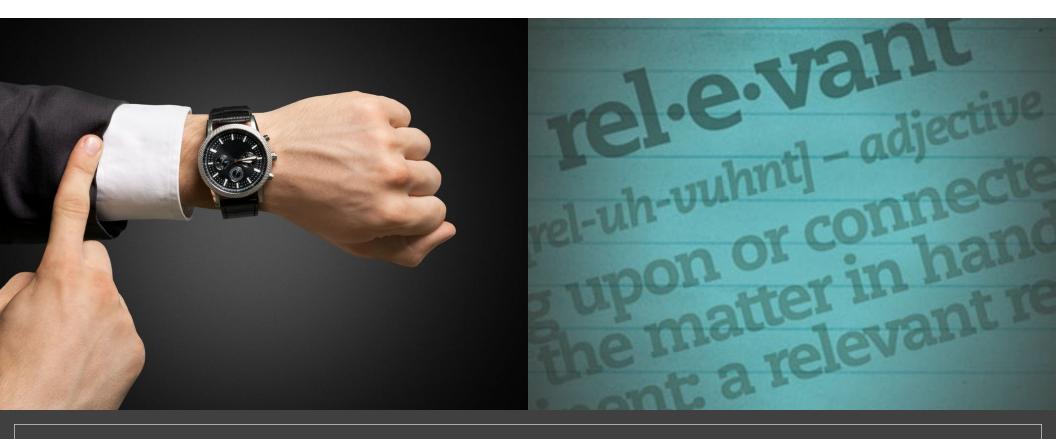
Questions that Water Utility Boards Should Ask About Their Utility Finances

Bob Miller Kentucky Rural Water Association

Questions to Ask at Monthly Meeting with Management

What Expectations Should a Board Have for Financial Information?

- ✓ Timely enough to be relevant,
- ✓ accurate enough to be relied upon,
- ✓interpreted enough to understand what has happened, and
- ✓ accompanied by recommendations for action.

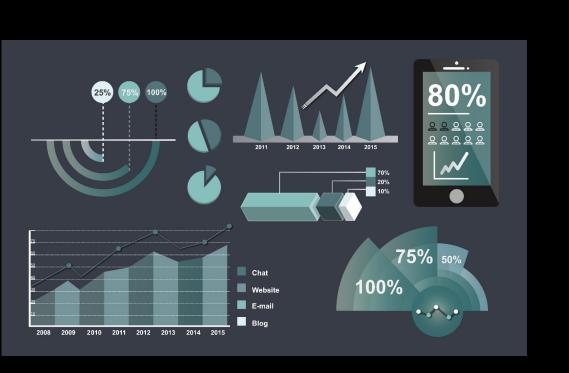


Is the Information Timely Enough to Be Relevant?





Is the Information Accurate Enough to Be Relied Upon?





Is the Information Interpreted Enough to Understand What Happened?





Does Management Provide Recommendations for Necessary Actions?

Financial results should be considered in terms of financial objectives.



1. Are We Reading All of Our Meters?

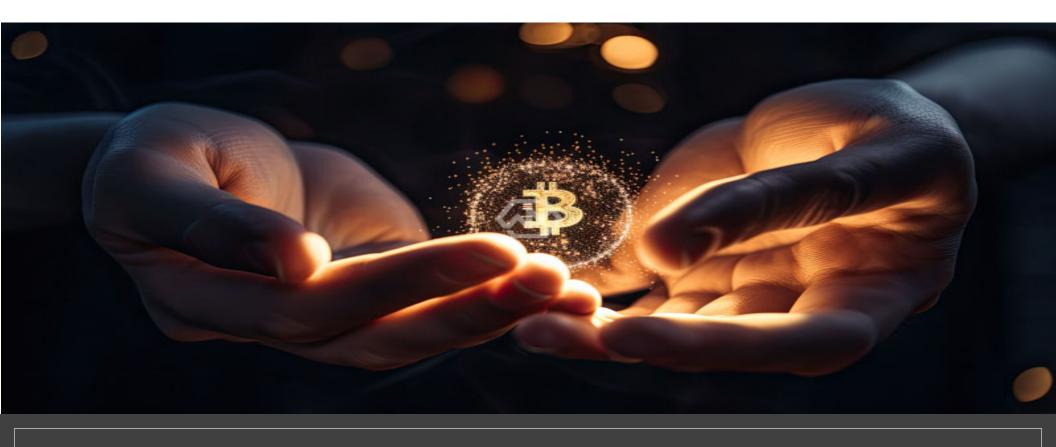


PUBLIC SERVICE COMMISSION OF KENTUCKY

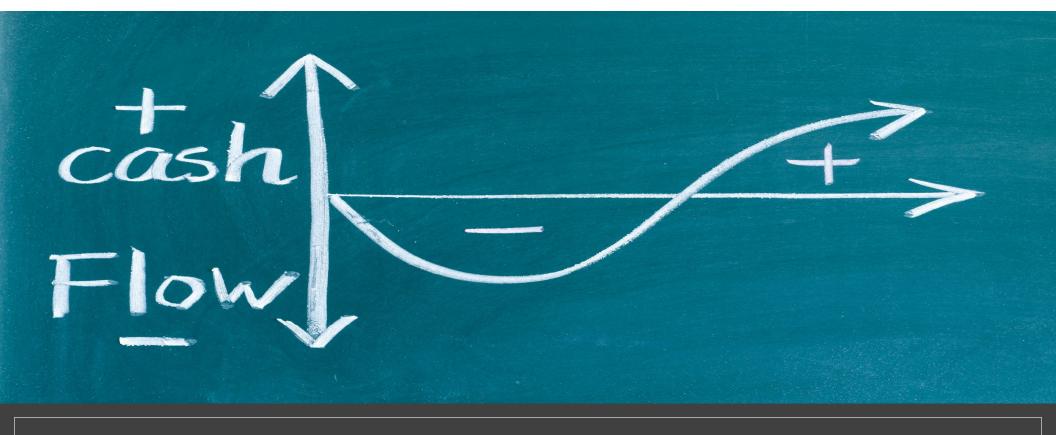
2. Are We Billing All of Our Accounts According to Tariff?



3. Are We Collecting What We Are Billing?



4. How Much Money Do We Have Unrestricted Access to In the Bank?



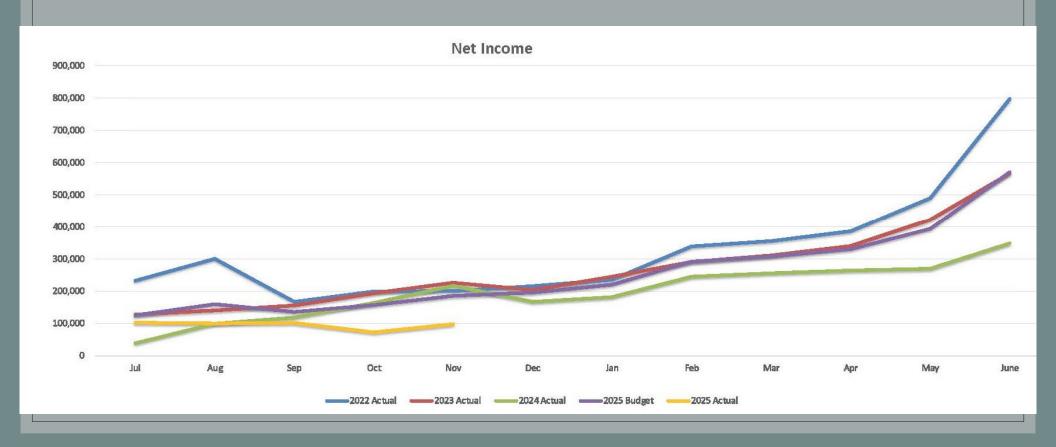
5. How Much Money Did We Take In / How Much Did We Spend?

Practical Examples of Financial Information Presentation

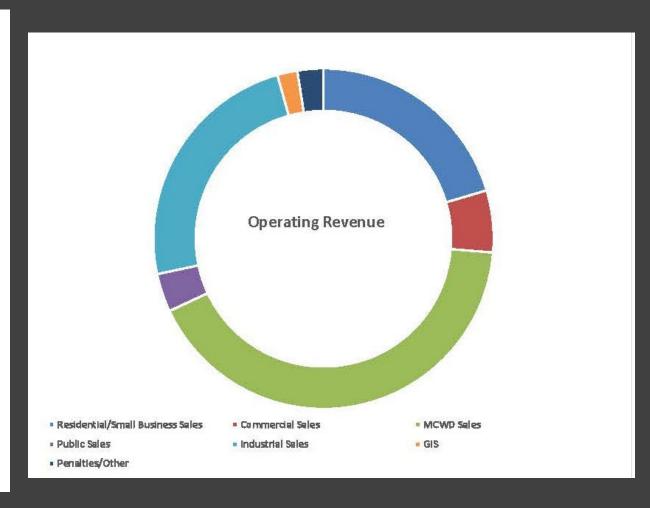
Key
Performance
Indicators

Key Performance Indicators				
	11/30/2024	11/30/2023		
Net Op Rev YTD	\$ 97,926	\$ 216,995	₩\$	(119,069)
Net Op Rev MTD	\$ 25,512	\$ 52,970	₩\$	(27,458)
Net Profit Margin	10.50%	12.47%	•	-1.97%
Capital Assets	\$ 40,799,649	\$ 39,828,457	^ \$	971,192
% Capital Depreciated	43.8%	43.2%	•	0.62%
Debt Ratio	44.2%	45.3%	•	-1.09%
Debt Service Coverage	160%	164%	•	-4.00%
Cash EOP	\$ 3,233,649	\$ 2,939,681	^ \$	293,968
Days Cash	108	98	^ \$	10
Depreciation Funded variance	(73,545)	(30,823)	\$ \$	(42,722)
Deprecation Funded %	69.9%	86.2%	4	-16.28%

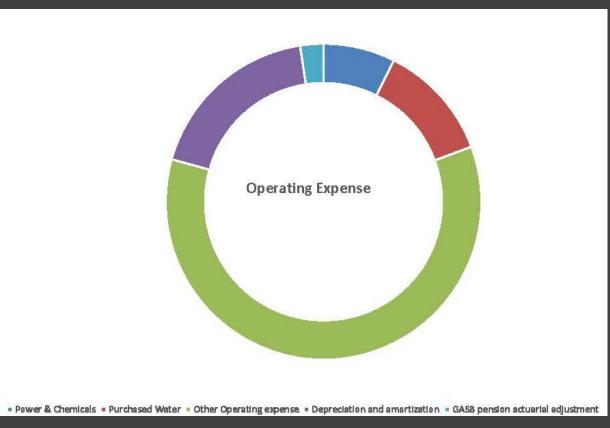
Net Operating Revenue



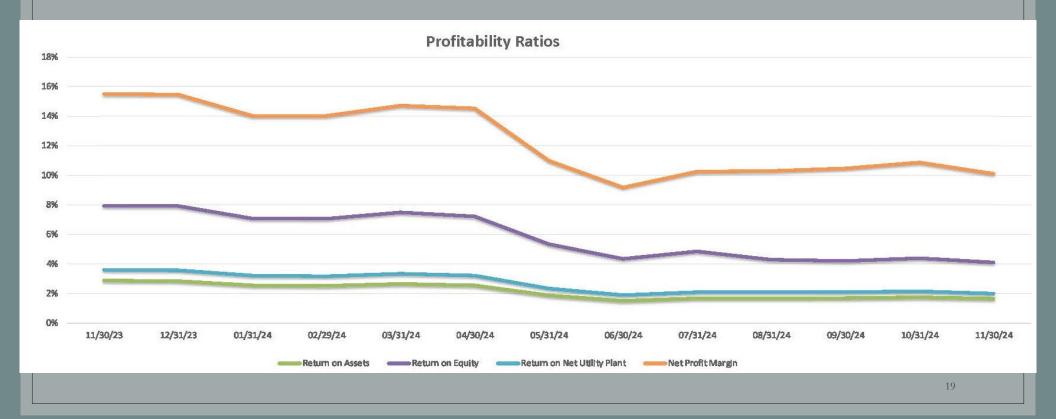
OPERATING REVENUE



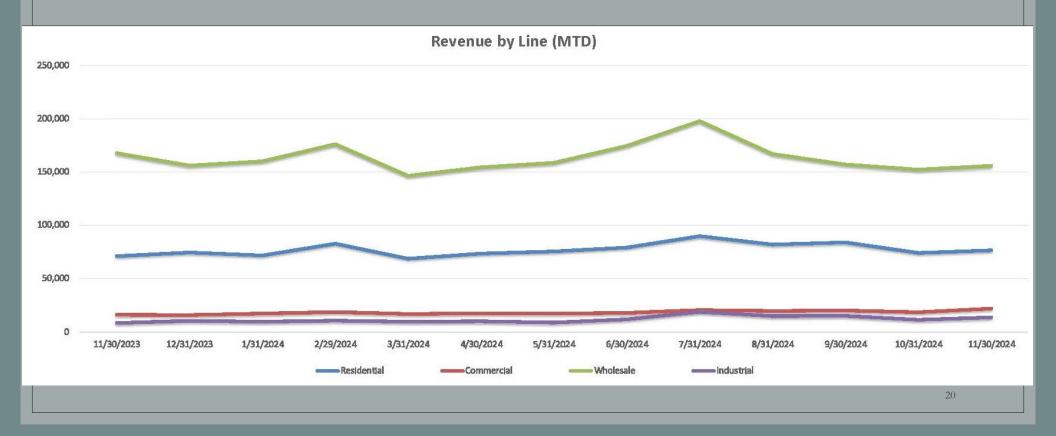
OPERATING EXPENSES



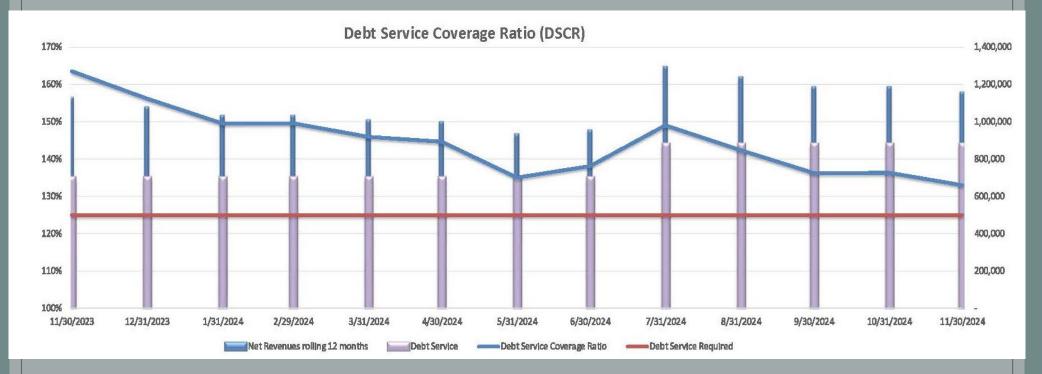
Profitability Ratios



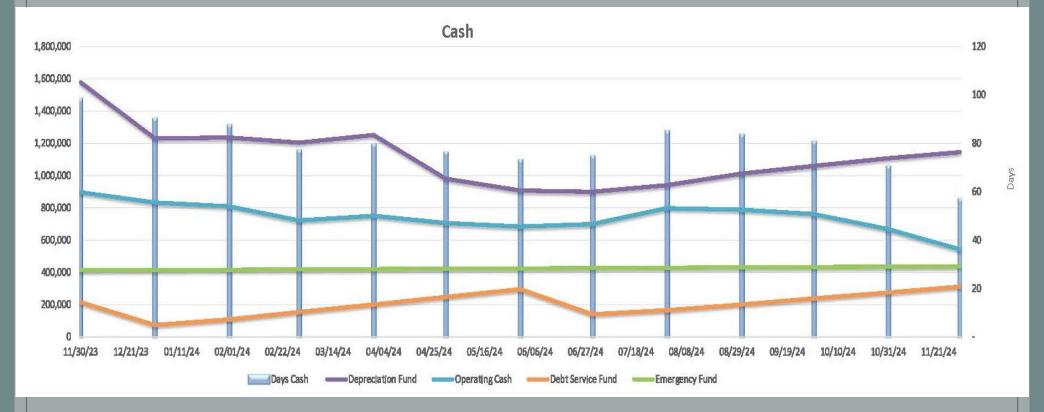
Revenue by Customer Class



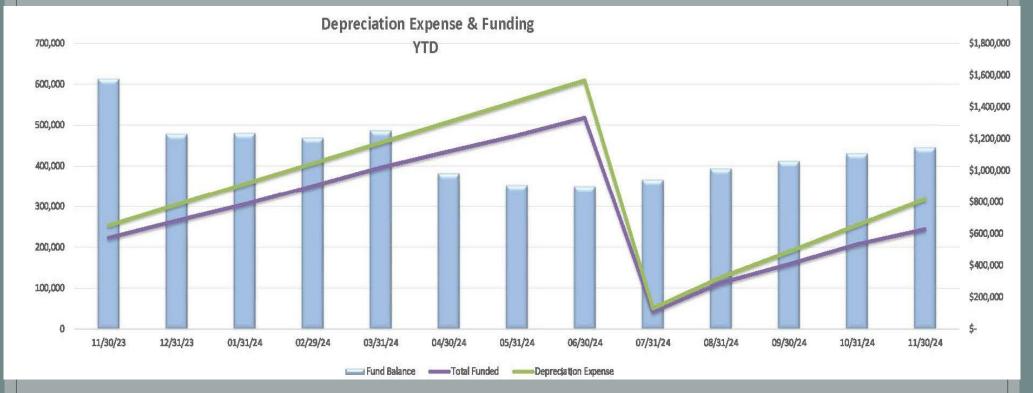
Debt Service Coverage Ratio



Cash Amounts and Days



Depreciation Expense and Funding



Accounts Receivable Balance



Questions to Ask at Annual Meeting with Auditors

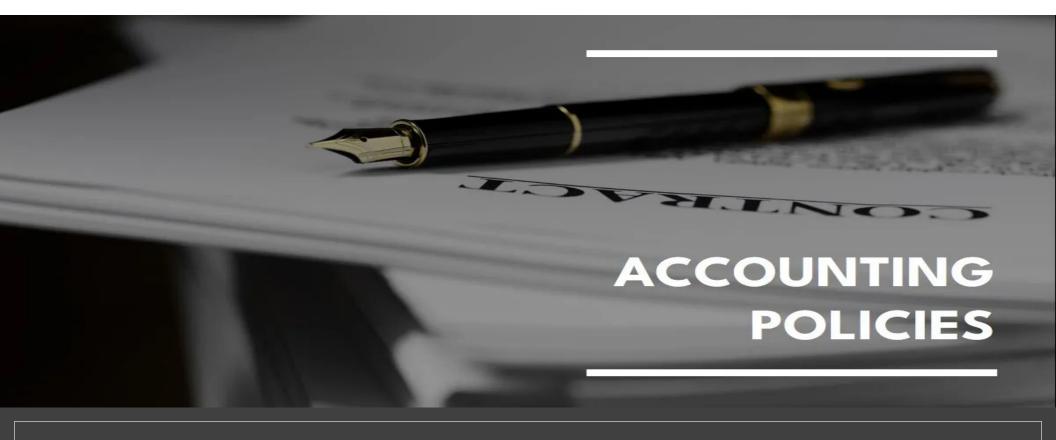
Focus on Internal Controls

A process designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

- ✓ effectiveness and efficiency of operations
- ✓ reliability of financial reporting
- ✓ compliance with applicable laws and regulations.



1. Can You Explain the Audit Process?



2. Were There Any Changes in Accounting Policies?



3. Were There Any Difficulties Encountered During the Audit?

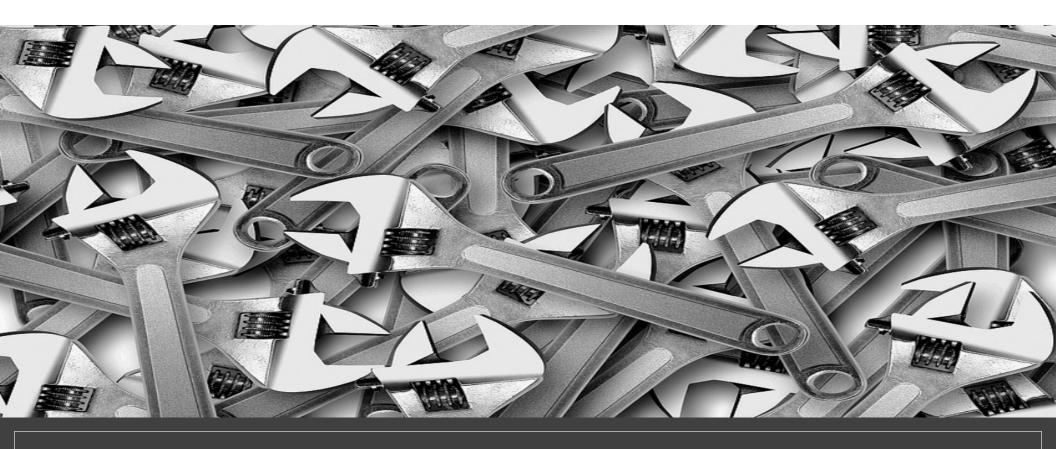




4. Did You Identify Any Areas of Concern?



5. What Weaknesses Did You Identify in Our Reporting and Controls?



6. Were There Any Adjustments Made to the Financial Statements?



7. What Regulations Did You Review For Compliance?



8. What is Your Opinion of Our Cash Flow?



9. Are There Any Changes in Practice That We Should Adopt?



Questions that
Water Utility
Boards Should Ask
About Their
Utility Finances

Bob Miller

What to Expect During an Inspection

Jasper Wyatt

Kentucky Rural Water Association



Today's Topics

- Division of Inspections
- Inspection Process
- Areas of Concern
- Water Loss



PSC Mission Statement

To foster the provision of safe and reliable service at a reasonable price to the customers of jurisdictional utilities while providing for the financial stability of those utilities by setting fair and just rates, and supporting their operational competence by overseeing regulated activities.



Customer Bill of Rights

As a residential customer of a regulated public utility in Kentucky, you are guaranteed the following rights subject to Kentucky Revised Statutes and the provisions of the Kentucky Public Service Commission Administrative Regulations:

- You have the right to service, provided you (or a member of your household whose debt was accumulated at your address) are not indebted to the utility.
- You have the right to inspect and review the utility's rates and tariffed operating procedures during the utility's normal office hours.
- You have the right to be present at any routine utility inspection of your service conditions.
- You must be provided a separate, distinct disconnect notice alerting you to a possible disconnection of your service if payment is not received.
- You have the right to dispute the reasons for any announced termination of your service.
- You have the right to negotiate a partial payment plan when your service is threatened by disconnection for non-payment.
- You have the right to participate in equal, budget payment plans for your natural gas and electric service.
- You have the right to maintain your utility service for up to thirty (30) days upon presentation of a medical certificate issued by a health official.
- You have the right to prompt (within 24 hours) restoration of your service when the cause for discontinuance of the service has been corrected.
- You have the right to contact the Public Service commission regarding any dispute that you have been unable to resolve with your utility (Call Toll Free 1-800-772-4636).



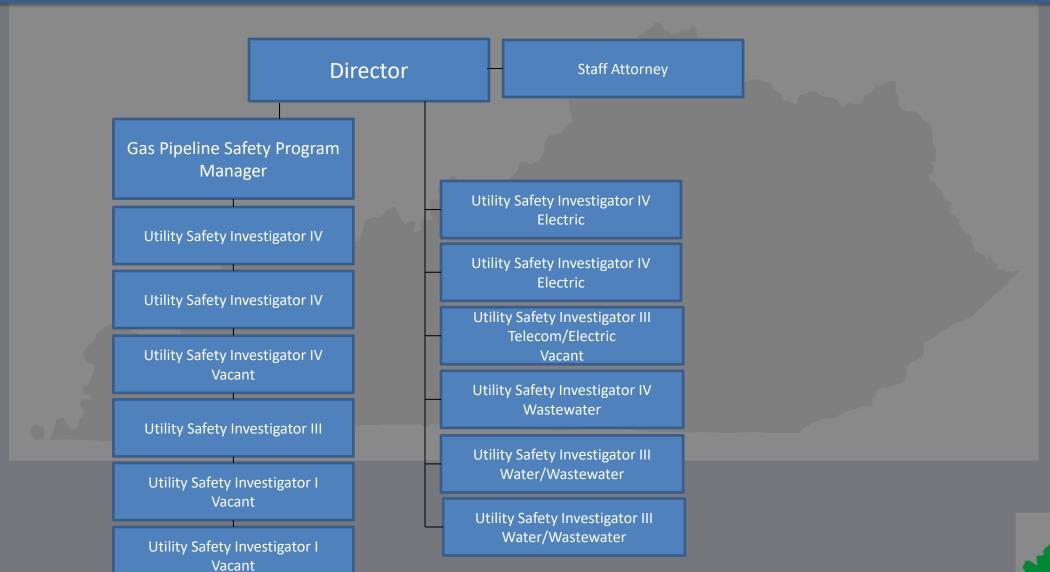
Water and Wastewater Utilities Under PSC Jurisdiction

- Investor-owned utilities
- Water districts
- Water associations
- Municipal water utilities BUT only the wholesale rates for water sold to a utility under full PSC jurisdiction
- Wastewater utilities No municipalities*



^{*} KRS 278.010(3) excludes "a city" from the definition of a "Utility"

Division Of Inspections





Regulated Water Utilities

- In 2023, the PSC received annual reports from 116 of 138 drinking water utilities throughout the state serving residential, commercial and industrial customers:
 - ≥5 Investor-Owned AMB \$ 65.97
 - ≥ 20 of 20 Water Associations AMB \$ 45.10
 - ► 104 of 112 Water Districts AMB \$ 51.21
 - > 731,206 Customers
- \$ 471,384,883 Total Revenues
- 632,349,509,000 gallons sold



^{*} Source - 2023 annual reports submitted to the Kentucky Public Service Commission

Regulated Wastewater Utilities

- In 2023, the PSC received annual reports from 32 of 53 wastewater utilities throughout the state serving residential, commercial and industrial customers
- **36,644 Customers**
- Total Revenues \$ 26,062,601
 - Residential AMB \$ 44.87
 - Commercial AMB \$ 97.32
 - ➤ Industrial AMB \$ 3,214.60



 $[^]st$ Source - 2023 annual reports submitted to the Kentucky Public Service Commission

Improving The Inspection Process

- Three investigators for the water and wastewater sectors
- IRS database
- Standard Operating Procedures
- Inspection cycle
- As of January 2019, now scheduled annually
- Risk Assessment (Water Utilities)
- Now collaborating with the Division of Water
 - Drinking Water and Wastewater Advisory Councils
 - ➤ Data sharing Boil Water Advisories



Risk Assessment

- Seven Metrics
 - Number of deficiencies last inspection
 - Unresolved deficiencies
 - Excessive water loss %
 - ➤ Management/employee turnover
 - >Inspector's subjective knowledge
 - Construction activity
 - > Elapsed time since last inspection
- Higher point value will warrant more attention



Inspection Process

- Contact utility to set inspection date(s)
- Utility is provided a document list and inspection checklist
- Internal records review
 - Case history
 - > Annual Reports/Water Produced/Purchased/Loss
 - Previous Inspections
- Go through inspections checklist, reviewing utility documentation at office
 - Line break logs
 - Fire Dept. usage
 - Pressure charts
 - Facility self-inspections (plant, tanks, manholes, etc.)



- 807 KAR 5:006, Section 4. Reports. (1) Gross annual operating revenue reports.
 - (a) Each utility shall file with the commission its gross operating revenue report on or before March 31



Water Statistics (Ref Page: 30)						
	Gallons (Omit 000's)	Percent				
Water Produced, Purchased and Distributed						
Water Produced	177,761					
Water Purchased	373,761					
Total Produced and Purchased	551,522					
6. Water Sales:						
7. Residential	304,359					
8. Commercial	23,882					
9. Industrial	1,772					
10. Bulk Loading Stations	2,436					
11. Resale						
12. Other Sales						
13. Total Water Sales	332,449					
15. Other Water Used						
16. Utility/water treatment plant	29,585					
17. Wastewater plant	5,340					
18. System flushing	92,250					
19. Fire department	11,858					
20. Other	4,000					
21. Total Other Water Used	143,033					
23. Water Loss:						
24. Tank Overflows	3,400					
25. Line Breaks	4,070					
26. Line Leaks	55,500					
27. Other	13,070					
28. Total Line Loss	76,040					
Note: Line 13 + Line 21 + Line 28 must equal Line	4					
32. Water Loss Percentage						
33. Line 28 divided by Line 4		13.7873				



Quarterly Meter Report

807 KAR 5:006, Section 4(4)
Report of meters, customers, and refunds. Each gas, electric, or water utility shall file quarterly either a Quarterly Meter Report-Electric, Quarterly Meter Report, or a Quarterly Meter Report-Electric-Gas-Water, of meter tests, number of customers, and amount of refunds.

QUARTERLY METER REPORT								
TO THE KENTUCKY PUBLIC SERVICE COMMISSION								
NAME OF UTIL	TMV			QUAR	men			
ADDRESS	.111				YEAR			
ADDRESS					IDAN	-		
CITY, STATE,	ZIP			DATE	SUBMITTED	•		
					7			
		MER TYPE	METERED	NON-ME		TOTAL	-	
-		DENTIAL	0)	0	-	
1		MERCIAL USTRIAL	0)	0	+	
		THER	0		0	0		
		OTALS	0		0	0	1	
,		<u> </u>					-	
		STATUS	OF METER TEST	PROGRAM		QUANTITY		
		METERS	TO BE TESTED TH	HIS YEAR		0		
			ESTED THIS YEAR			0		
		METERS	STILL TO TEST T	HIS YEAR		0		
YEARS SINCE	METER		METER TEST R	ESULTS		METERS	METERS	
WAS LAST T		WITHIN ±2%	> 2% FAST	> 2% SLOW	NR*	TESTED	NOT TESTED	
NEW - 5 Y	EARS	0	0	0	0	0	0	
5 - 8 YE		0	0	0	0	0	0	
9 YEAR		0	0	0	0	0	0	
10 YEAR		0	0	0	0	0	0	
10+ YEA		0	0	0	0	0	0	
UNKNOW		0	0	0	0	0	0	
PERCEN		#DIV/0!	#DIV/0!	#DIV/0! #DIV/0		#DIV/0!	#DIV/0!	
* Non-Regist		#D1V/0:	#DIV/0:	#D10/0:	#DIV/0:	#D1V/0:	#BIV/0:	
PERIODIC MET	ER TEST	PROGRAM						
CASE NUMBER	and/or	SAMPLE METHOD	PLAN					
METERS REMOV	ED FROM	SERVICE AND T	0					
			INSTALLED THIS Q	UARTER	0			
		THIS QUARTER				0		
		AGENCY DOING I						
METERS THAT	METERS THAT TEST MORE THAN 2% FAST OR 2% SLOW							
NUMBER OF TE	STS MAD	E AT CUSTOMER':	S REQUEST			0		
NUMBER OF TE	STS MAD	E AT COMMISSION	N'S REQUEST			0		
NUMBER OF METERS ON WHICH REFUNDS WERE MADE 0								
		UNDS MADE DURII		\$0.00				
NUMBER OF CUSTOMERS BILLED FOR SLOW METERS 0								
TOTAL AMOUNT BILLED ON SLOW METERS \$0.00 NUMBER OF CUSTOMERS BILLED FOR NON-REGISTERING METERS 0								
				0				
TOTAL AMOUNT BILLED ON NON-REGISTERING METERS \$0.00								
METER TESTING INFORMATION APPROVED BY: CUSTOMER & REFUND INFORMATION APPROVED BY:								
SIGNED				SIGNED				
m r m r n								



Non-Payment Disconnection/Reconnection Report

807 KAR 5:006, Section 4(5) Report of terminations for nonpayment of bills. Each water, electric, or gas utility shall file either the Water Utility Non-Payment Disconnection/Reconnection Report, Electric Utility Non-Payment Disconnection/ Reconnection Report, or Gas Utility Non-Payment Disconnection/ Reconnection Report, annually to report the number of residential accounts terminated for nonpayment. These reports shall be filed no later than August 15 and shall cover the period ending June 30.

	KENTUCKY PUBLIC SERVICE COMMISSION											
	Electric		Gas		Water							
	Electric	Ц	Gas		water							
			NO	N-PAYMEN	T DISCONN	ECTION/RE	CONNECTION	ON REPORT	•			
						_						
		THROUGH										
JULY	2024	JUNE	2025									
Utility Name												
Utility ID												
Month	July	August	September	October	November	December	January	February	March	April	May	June
Number Terminated												
Highest \$ Amt. Terminated												
Lowest \$ Amt. Terminated												
Median \$ Amt. Terminated												
Average \$ Amt. Terminated												
Number Reinstated												
For information	For information regarding this report contact:											
Name												
Phone												



Inspection Process cont.

- Field Review
 - ➢ Plant
 - >Tanks
 - ➤ Pump/lift stations
 - ► Construction projects
 - >Safety/Security
- Exit Interview
- Inspection provided to utility approximately 30 days later



Inspection Process cont.

- Full internal review of inspections by executive staff and the commissioners
- Frequent internal discussion on cited deficiencies
- Utility given 30 days to respond to deficiencies
- Failure to respond or to correct deficiencies will result in initiation of formal action
 - > Informal Conference
 - Show Cause Hearing



Areas of Concern

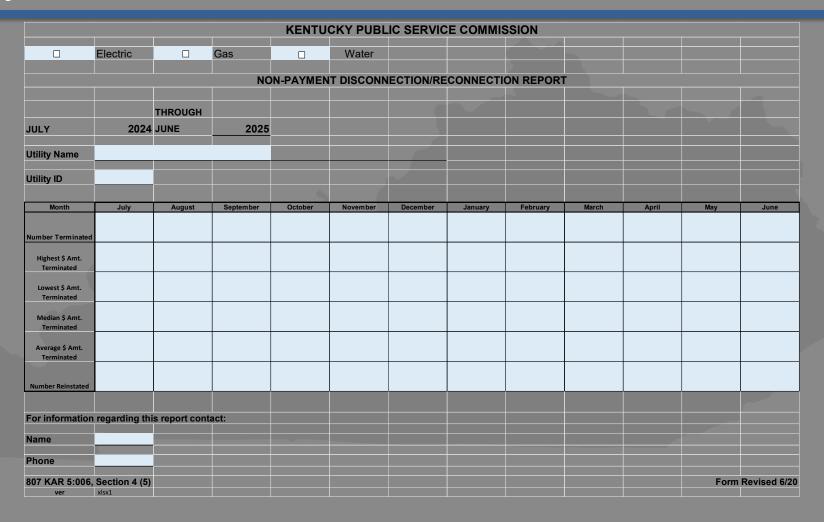
Water loss*

- ➤ Water Districts 34.54% or 103 billion gallons
- ➤ Water Associations 22.16% or 31 billion gallons
- ►Investor-Owned 18.12% or 3 billion gallons
- Abandonment of Utilities
- Infrastructure
- Written documentation of facility inspection procedures and other required records



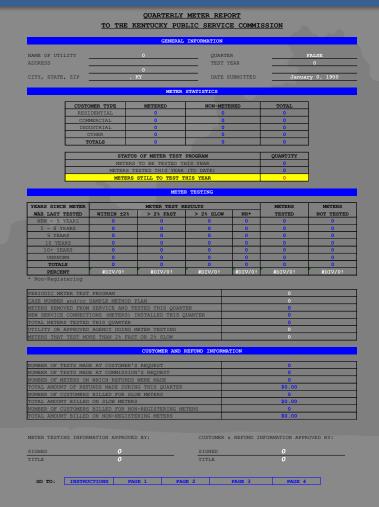
^{*}Source - 2023 annual report statistics compiled by the Kentucky Public Service Commission

Non-Payment Disconnection/Reconnection





Quarterly Meter Report





Water Loss

- Excessive water loss will be a primary focus of PSC interactions with water utilities
 - PSC's position is that excessive water loss poses a threat to the utility's financial and operational stability & viability
 - Point of emphasis at PSC training seminars
 - Water loss exceeding 15% will be cited as a deficiency by water system inspectors
 - Rate cases, purchased water adjustments, CPCNs and water financing cases will all include language on water loss in excess of 15%
 - A utility's inability or continued inaction to reduce water loss will lead to greater PSC attention



Water Loss

- Annual Reports are being reviewed to identify utilities with water loss in excess of 15% (61 systems reported > 15%)
- Deficient utilities will:
 - Be cited with 5:066, Section 7 Standards of Construction
 - Receive letter copying water commissioners and where applicable, the County Judge Executive/Magistrates



	Water Statisti	cs (Ref Page: 30)	
	Description	Gallons (Omit 000`s)	Percent
Water Produced, Purchased and Distributed			
2. Water Produced		141,346	
3. Water Purchased		398,210	
Total Produced and Purchased		539,556	
6. Water Sales:			
7. Residential		333,478	
8. Commercial		22,058	
9. Industrial		578	
10. Bulk Loading Stations		740	
11. Wholesale			
12. Public Authorities			
13. Other Sales (explain)			
14. Total Water Sales		356,854	
16. Other Water Used			
17. Utility/water treatment plant		19,000	
18. Wastewater plant		6,849	
19. System flushing		87,935	
20. Fire department			
21. Other Usage (explain)			
22. Total Other Water Used		113,784	
24. Water Loss			
25. Tank Overflows			
26. Line Breaks			
27. Line Leaks		68,918	
28. Excavation Damages			
29. Theft			
30. Other Loss (Explain)			
31. Total Water Loss		68,918	
Note: Line 14 + Line 22 + Line 31 must equal Line 4			
Water Loss Percentage			
Line 31 divided by Line 4			12.7731



Water Loss

"Water loss" means the sum of all water purchased and produced by the utility less the volume of water:

- (a) Sold;
- (b) Provided to customers without charge as authorized by the utility's tariff; and
- (c) Used by the utility to conduct the daily operation and maintenance of its treatment, transmission, and distribution systems.



Water Loss Report Monthly

Basic Costs of Water P	roduction ar	nd Distribut	ion		Month:			Year:	
System Name:							PWSID:		
System Hume.							1,00010.		
					Total Gallo	ns Treated:			
Man-Hours Cost	(for hours ac	ctually work	ed at treatr						
	Hourly	Hourly	Hours	Monthly	1	This report	does not in	nclude analy	tical and
Employee Name	Wage	Fringe	Worked	Cost				erational or	
					İ			or determini	
								ale rates co	nsider a
						cost of ser	vice study.		
					Total	Man-Hours	Cost		
					ł				
					ŧ				
					l				
Chemical Cost									
	Units (lbs	Cost per	Monthly				Units (lbs	Cost per	Monthly
Chemical Name	or gals)	Unit	Cost		Chemica	al Name	or gals)	Unit	Cost
			\$0.00						\$0.00
			\$0.00						\$0.00
			\$0.00						\$0.00
			\$0.00 \$0.00	+					\$0.00 \$0.00
			φυ.υυ	1					φυ.υυ
					Total	Chemical	Cost:	\$0	.00
Electrical Cost									
Treatment Facility:			1						
Low Service (if separa	te):				Total	Electrical	Cost:		
High Service (if separa	ate):]						
			ļ						
Gas for heating:			1		Tota	I Heating (Cost:		
Additional District	ion Cost								
Additional Distribut	IIOII COST							Cost of D	roduction
Booster Pump					cost per	chemical	Station	plus Distri	
Station Name	Gallons F	Dumned	Electricity	(lbs or gals)	lb or gal	cost	Cost		sand
Station Name	Gallotis i	unipeu	Liectricity	(ibs or gais)	ib or gar	cost	COSC	mou	Sanu
Total Proc	duction Cost	for Month			Produ	iction Cost	Per Thousa	nd Gallons:	
	ibution Cost			.00				istribution:	
Total Distri	ibulion COSL	Total:		.00	^	verage PIO	uuction + D	istribution:	
		i otal:	φU	.00	ı				



Water Loss Monthly-Excavation and Breaks

■ Monthly	Excavation Break Repor	t					_	Area C	alculator	
		_				diameter in	inches			
	0	(name of Wate	er System)		Hole =]	Insert the app	proximate	
		7			Area = 0.000 sq. in.			dimensions of the hole or		
	0	(PWSID)							rmine the area of	
		7				length (in)	wigth (in)	tne break. Ins the spreadshe	ert the area in	
Month	0				Crack =					
Year	0				Area =		sq. in.			
		<u> </u>		Refere	nce width	ր - paper (0 ՝	.004) dime ((0.045)		
		_		Minutes	Hole or Crack?	Area of hole or crack	Normal PSI	0.014	Gallons Lost During	
Date	Excavation Break Location	EXC	avator					GPM	Break	
	Main Line Repair Report	:		diameter in i	nches		Area C	alculator		
Monthly			Hole=			Insert the apr			hole or crack to	
0	Main Line Repair Report (Water System)		Hole= Area=		sq. in.	determine the	roximate dime area of the br	ensions of the		
				0.000	sq. in.	determine the spreadsheet l	proximate dime area of the br pelow.	ensions of the reak. Insert th		
0	(Water System)			0.000	sq. in.	determine the spreadsheet l	roximate dime area of the br	ensions of the reak. Insert th	ne area in the	
0	(Water System) (PWSID)		Area=	0.000 length (in)	sq. in.	determine the spreadsheet l	proximate dime area of the br pelow.	ensions of the reak. Insert th	ne area in the	
0 0 Month	(Water System) (PWSID) 0		Area= Crack=	0.000 length (in)	sq. in.	determine the spreadsheet l	proximate dime area of the br pelow.	ensions of the reak. Insert th	ne area in the	
0 0 Month	(Water System) (PWSID) 0	Φ	Area= Crack=	0.000 length (in)	sq. in.	determine the spreadsheet width - pape	proximate dime area of the br pelow.	ensions of the reak. Insert the (0.045)	ne area in the	



Water Loss-Line Break Log

Month	lly Line Break Log	(v	vater system)			ı	0			
Month	0				PWSID		0			
Year	0									
		Time	Population	Time for	Disinfe	ectant Res	siduals	ı	Bact Samp	les
Date	Location	Found	Affected	Repair	Date	Time	Result	Date	Time	Result



Water Loss-Flushing

DBP Ma	aintenance Flushing (Hydrants and Tank	s)					
0	(name of Water S	ystem)			Month	C	
					Year	0)
0	(PWSID)				_		
				unit conve	rsion factor	29.83	1 1
	Formula:	GPM = 2	$29.83 \text{ cd}^2 √\text{p}$	coef	ficient value	0.95	
Date	Indicate Water Storage Tank Name or Hydrant Location and/or Number	Total Minutes Operated	Nozzle size (typically 2.5 or 4.5)	Pitot Pressure	GPM	Gallons Flowed	Estimated or Metered Flow

Monthly H	ydrant Flushing Report (Flushing for	other than	DBP mai	ntenance)			
0		(name of Water S	ystem)			Month Year	0	
0		(PWSID) Formula:	GPM = 2	29.83 cd²√p		rsion factor	29.83 0.95	
Date	Hydrant Location and/or Number	Reason Operated	Total Minutes Operated	Nozzle size (typically 2.5 or 4.5)	Pitot Pressure	GPM	Gallons Flowed	Estimated Flow if Pitot not used



Water Loss-Fire Department

Fire Department - Water Usage Report Form KRS 278.170(3) 807 KAR 5:095 Section 9 Any city, county, urban-county, charter county, fire protection district, or volunteer fire protection district ("User") may withdraw water from the utility's water distribution system for the purpose of fighting fires or training firefighters at no charge on the condition that it maintains estimates of the amount of water used for fire protection and training during the calendar month and reports the amount of this water usage to the utility no later than the 15th day of the following calendar month. Any city, county, urban-county, charter county, fire protection district, or volunteer fire protection district that withdraws water from the utility's water distribution system for fire protection or training purposes and fails to submit the required report on water usage in a timely manner shall be assessed the cost of this water. A non-reporting user's usage shall be presumed to be 0.3 percent of the utility's total water sales for the calendar month. (name of Fire Department) Month Year (name of Water System) 29.83 unit conversion factor 0.95 coefficient value Estimated Nozzle Total Flow if size Minutes Gallons Reason Pitot Pitot not (typically **Hydrant Location and/or Number** Date Operated 2.5 or 4.5) Pressure **GPM** Flowed used Operated

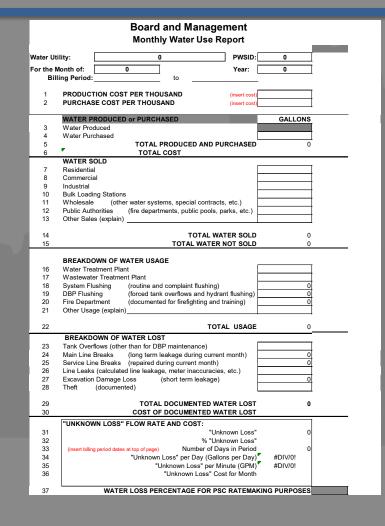


Monthly Water Loss Report

PUBLIC SERVICE COMMISSION	
Monthly Water Loss Report	
Water Utility: 0 PWSID:	0
Trade Starty.	
For the Month of: 0 Year:	0
	S (Omit 000's)
1 WATER PRODUCED AND PURCHASED	
2 Water Produced	0
3 Water Purchased	0
4 TOTAL PRODUCED AND PURCHASED	0
5 6 WATER SALES	
6 WATER SALES 7 Residential	0
8 Commercial	0
9 Industrial	0
10 Bulk Loading Stations	o o
11 Wholesale	Ö
12 Public Authorities	Ö
13 Other Sales (explain) 0	Ö
14 TOTAL WATER SALES	Ö
15	
16 OTHER WATER USED	
17 Utility and/or Water Treatment Plant	0
18 Wastewater Plant	0
19 System Flushing	0
20 Fire Department	0
21 Other Usage (explain) 0	0
22 TOTAL OTHER WATER USED	0
23	
24 WATER LOSS	
25 Tank Overflows	0
26 Line Breaks	0
27 Line Leaks	0
28 Excavation Damages 29 Theft	0
29 Γneπ 30 Other Loss (explain)	0
31 Other Loss (explain) Onknown Loss TOTAL LINE LOSS	0
32	<u>u</u>
33 Note: Line 14 + Line 22 + Line 31 Must Equal Line 4	
34 35 WATER LOSS PERCENTAGE	
(Line 31 Divided by Line 4)	#DIV/0!



Monthly Water Loss Report-Managment





807 KAR 5:095

Section 9. A utility that permits a fire department to withdraw water from its water distribution system for fire protection and training purposes at no charge or at reduced rates shall:

- (1) Require a fire department to submit quarterly reports demonstrating its water usage for the quarter; and
- (2) State in its tariff the penalty to be assessed for failure to submit the reports required by subsection (1) of this section.



Fire Department

•	rtment - Water Usage Repo	rt Form						
KRS 278.170	(3) 807 KAR 5:095 Section 9							
distribution syst	, urban-county, charter county, fire protection em for the purpose of fighting fires or training raining during the calendar month and reports	firefighters at no o	charge on the	condition that	it maintains es	stimates of the	amount of water	used for fire
system for fire p	, urban-county, charter county, fire protection or training purposes and fails to su ing user's usage shall be presumed	bmit the required re	eport on water	r usage in a ti	mely manner s	hall be assesse	ed the cost of this	
		(name of Fire Dep	oartment)			Month		
		•				Year		
		(name of Water S	System)			•		
		•			unit conve	rsion factor	29.83	
					coeff	icient value	0.95	
				Nozzle				Estimated
			Total	size				Flow if
		Reason	Minutes	(typically	Pitot		Gallons	Pitot not
Date	Hydrant Location and/or Number	Operated	Operated	2.5 or 4.5)	Pressure	GPM	Flowed	used

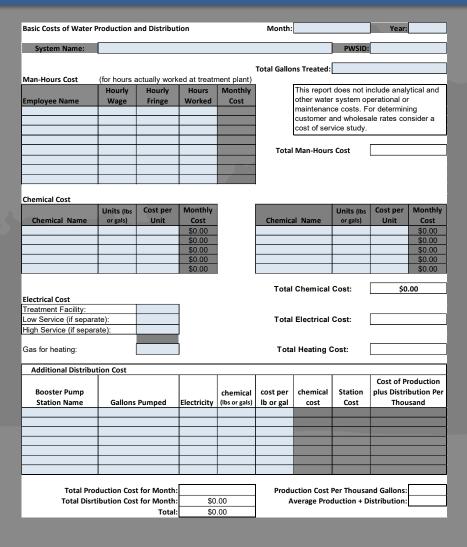


Commission Orders

The Commission is placing greater emphasis on monitoring utilities that consistently exceed the fifteen (15) percent water loss threshold and strongly encourages Subject Utility to pursue reasonable actions to reduce its water loss. Failure by Subject utility to make significant progress towards reducing water loss may cause the Commission to pursue additional action with the utility.

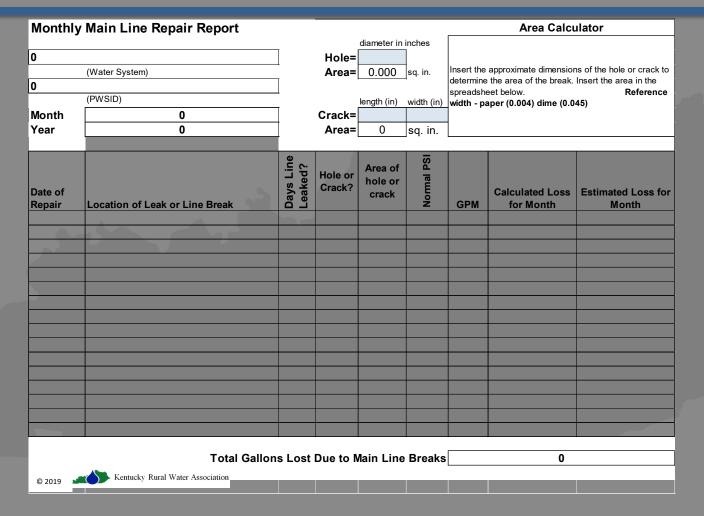


Water Loss Spread Sheet



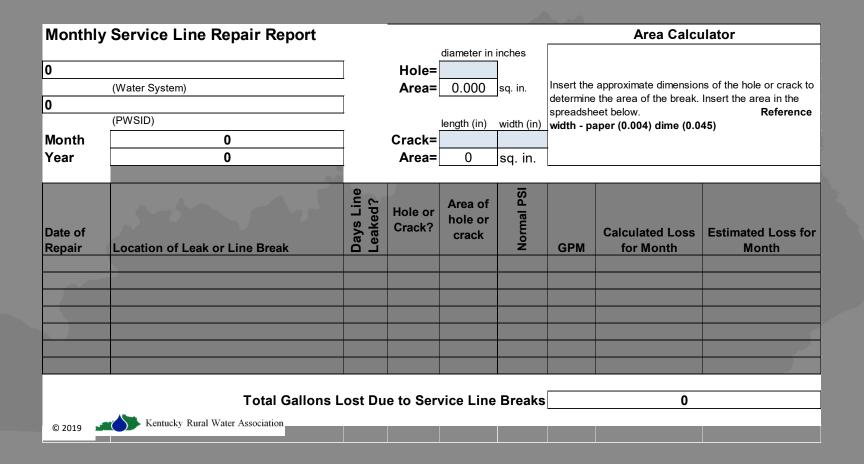


Water Loss-Line Repair





Wate Loss-Line Repair





Month	ly Line Break Log	(w	vater system	1)	0		
Month	0				PWSID 0		
Year	0						
_	1	T	<u> </u>	1	 District stant Desidents	Baat Camaria	

		Time	Population	Time for	Disinf	ectant Res	iduals	Bact Samples		
Date	Location	Found	Affected	Repair	Date	Time	Result	Date	Time	Result
	A - A		T							
	V									
										,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,





Water Loss-Flushing

		7				Г		
0		(name of Water S	ystem)			Month		0
_		7				Year	(0
0		(PWSID)			•.	[00.00	٦
						rsion factor	29.83	4
		Formula:	GPM = 2	29.83 cd ² √p	coef	icient value	0.95	
		.a. (Total	Nozzle size				Estimated Flow if
		Reason	Minutes	(typically	Pitot		Gallons	Pitot not
Date	Hydrant Location and/or Number	Operated	Operated	2.5 or 4.5)	Pressure	GPM	Flowed	used
	, ,							
				Tot	al Gallons	for Month	(0
⊘ 2010	Kentucky Rural Water Association			. •••				-



Water Loss- Fire Department

Fire Deparkers 278.170(rtment - Water Usage Repo 3) 807 KAR 5:095 Section 9	rt Form						
distribution syste	urban-county, charter county, fire protections for the purpose of fighting fires or training aining during the calendar month and reports	g firefighters at no	charge on the	condition that	it maintains es	stimates of the a	amount of water	used for fire
system for fire p	urban-county, charter county, fire protectio otection or training purposes and fails to su	bmit the required r	eport on water	usage in a ti	mely manner sl	nall be assesse	d the cost of thi	
A non-reporti	ng user's usage shall be presumed	to be 0.3 perce	nt of the uti	lity's total	water sales	for the calen	dar month.	
		(name of Fire De	nartment)			Month		
						Year		
		(name of Water S	System)					
		→			unit conve	rsion factor	29.83	
					coeff	icient value	0.95	
Date	Hydrant Location and/or Number	Reason Operated	Total Minutes Operated	Nozzle size (typically 2.5 or 4.5)	Pitot Pressure	GPM	Gallons Flowed	Estimated Flow if Pitot not used
© 2019	Kentucky Rural Water Association			Tot	al Gallons	for Month	0	



Water Loss-Board Report

	Board and Management
	Monthly Water Use Report
Water Util	lity: 0 PWSID: 0
For the M	onth of: 0 Year: 0
	ing Period: to
1	PRODUCTION COST PER THOUSAND (insert cost)
2	PURCHASE COST PER THOUSAND (insert cost)
	WATER PRODUCED or PURCHASED GALLONS
3	Water Produced
4	Water Purchased
5	_ TOTAL PRODUCED AND PURCHASED 0
6	TOTAL COST
	WATER SOLD
7	Residential
8	Commercial
9	Industrial
10	Bulk Loading Stations
11	Wholesale (other water systems, special contracts, etc.)
12	Public Authorities (fire departments, public pools, parks, etc.)
13	Other Sales (explain)
14	TOTAL WATER SOLD 0
15	TOTAL WATER NOT SOLD 0
	BREAKDOWN OF WATER USAGE
16	Water Treatment Plant
17	Wastewater Treatment Plant
18	System Flushing (routine and complaint flushing) 0
19	DBP Flushing (forced tank overflows and hydrant flushing) 0
20	
20	
21	Other Usage (explain)
22	TOTAL USAGE 0
	BREAKDOWN OF WATER LOST
23	Tank Overflows (other than for DBP maintenance)
24	Main Line Breaks (long term leakage during current month) 0
25	Service Line Breaks (repaired during current month) 0
26	Line Leaks (calculated line leakage, meter inaccuracies, etc.)
27	Excavation Damage Loss (short term leakage) 0
28	Theft (documented)
20	(accumented)
29	TOTAL DOCUMENTED WATER LOST 0
30	COST OF DOCUMENTED WATER LOST
	"UNKNOWN LOSS" FLOW RATE AND COST:
31	"Unknown Loss" 0
32	% "Unknown Loss"
33	(insert billing period dates at top of page) Number of Days in Period 0
34	"Unknown Loss" per Day (Gallons per Day) #DIV/0!
35	"Unknown Loss" per Minute (GPM) #DIV/0!
36	"Unknown Loss" Cost for Month
37	WATER LOSS PERCENTAGE FOR PSC RATEMAKING PURPOSES
	© 2019 Kentucky Rural Water Association
	© 2019 Kentucky Rural Water Association



Water Loss Report

PUBLIC SERVICE COMMISSION			
Monthly Water Loss Report			
Water Uti	ility: 0 PWSID:	0	
For the M	Month of: 0 Year:	0	
LINE # ITEM GALLONS (Omit 000's)			
1	WATER PRODUCED AND PURCHASED		
2	Water Produced	0	
3	Water Purchased	0	
4	TOTAL PRODUCED AND PURCHASED	0	
5			
6	WATER SALES		
7	Residential	0	
8	Commercial	0	
9	Industrial	0	
10	Bulk Loading Stations	0	
11	Wholesale	0	
12	Public Authorities	0	
13	Other Sales (explain)	0	
14	TOTAL WATER SALES	o	
15			
16	OTHER WATER USED		
17	Utility and/or Water Treatment Plant	0	
18	Wastewater Plant	0	
19	System Flushing	0	
20	Fire Department	0	
21	Other Usage (explain) 0	0	
22	Other Usage (explain) 0 TOTAL OTHER WATER USED	0	
23 24	WATER LOSS		
24 25	Tank Overflows	0	
26	Line Breaks	0	
26 27	Line Leaks	0	
28	Excavation Damages	0	
20 29	Theft	0	
29 30	Other Loss (explain) Unknown Loss		
30 31	TOTAL LINE LOSS	0	
31 32	TOTAL LINE LOSS	U	
33 34	Note: Line 14 + Line 22 + Line 31 Must Equal Line 4		
35	WATER LOSS PERCENTAGE		
36	(Line 31 Divided by Line 4)	#DIV/0!	



Suggestions

Ensure accurate reporting

Review and document water loss reduction efforts

 PSC will consider utility requests for surcharges to assist in financing water loss reduction efforts



Deviation

- In special cases for good cause shown the commission may permit deviations from these rules and regulation.
 - Storage requirements
 - Periodic Meter Tests
 - Inspection of Systems



Communications: Day to Day Basics

PETE CONRAD

KY RURAL WATER ASSOCIATION

Definition of Communications Per Merriam- Webster Dictionary

- A: a process by which information is exchanged between individuals through a common system of symbols, signs, or behavior also: exchange of information
- ▶ B: personal rapport Which is a friendly, harmonious relationship

When Someone says communications, what comes to mind?

- Talking to/Between Individuals
 - In person
 - By phone
 - ▶ Texting/Emails
 - Media (Television, Newsprint, News websites)
 - Social Media
 - Employees actions in the community

Tennessee utility admits to error in letters after customers point out discrepancies

by Jakai Spikes | Wed, November 13th 2024 at 3:50 PM

Syracuse officials insist drinking water is clean as residents call for a state of emergency





APRIL 2025 fpb.cc

FRANKFORT PLANT BOARD

RISING TO THE CHALLENGE: FLOOD RESPONSE 2025

Bethany-Warr Acres plant employee arrested for discharging raw sewage into local creek

by Hadley Waldren | Sat, March 29th 2025 at 12:14 PM



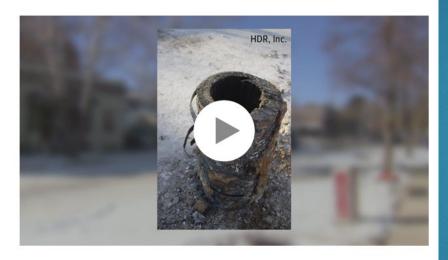


Florida Residents Urged to Stop Drinking Water in One County

HISTORY

Wood pipe discovered by construction workers in Denver

Construction workers uncovered a wooden pipe dating back to the 1880s on West 25th Avenue.



Author: Amy Hunter
Published: 7:22 PM MST January 8, 2025

Henderson residents could receive a 'catch-up bill' after water meter underreportings

Adam Kight Jan 31, 2025 Updated Jan 31, 2025 💂 0

NEWS

Henderson County Water District OKs pass-through rate increase for customers

Erin Schmitt erin.schmitt@thegleaner.com

Published 10:12 a.m. CT Feb. 25, 2017



Map Reveals US States With the Worst Drinking Water

Published Jan 10, 2025 at 11:11 AM EST

Updated Jan 13, 2025 at 5:14 AM 503

Which States Have the Cleanest Drinking Water?

The state with the fewest violations was Hawaii, with a mere two, followed by Delaware with 117, Kentucky with 139 and Nebraska with 190. The rest of the bottom ten include North Dakota at 233, South

Good communication starts at home, so to say

- I'm not saying this is how you need to be acting with your family, but it can't hurt
- At the same time, how would you like to be talked to at your home?
- The home here I mean is your work home/ utility
- How are you talking to your co-workers, bosses, their bosses, the folks in the front office??
- Are all of you talking? Like really talking???
 - Example: SLI unknown letters went out, does the office know how to respond to customer questions??
 - Example 2: Has anyone ever spoken to the folks in the office about the importance of passing along knowledge of water leaks, or overflowing manholes??

Not all communication is good, but it's also not all bad

- Today's interaction with a customer could be their first, and may be the one that becomes their impression of your system
- ▶ How do you/ can you change that impression if it isn't good??
- Watch your language/ how you speak with this individual
- How are you going to deal with a hostile person/customer?
 - In the Office
 - In the Field/ At their house
- How do you want to deal with the media/ social media?

De-escalation can be the key to some of these interactions

- Per Wikipedia, De-escalation refers to the methods and actions taken to decrease the severity of a conflict whether it be physical, verbal or of another nature
- Why does this sound familiar? It's used a lot in Law enforcement, and you are probably doing versions of it today

10 basic steps of De-escalation

- Be non-judgmental
 - Don't dismiss their feelings, stay respectful
- Respect personal space
 - Not only closeness, but if on their property, respect that space
- Be aware of nonverbal cues
 - Yours and the individual you are speaking to
- Keep your emotions in check
 - Remember, you get what you give
- Focus on feelings
 - Find out what is going on with them. How can you help?

10 Steps Continued

- Ignore challenging questions
 - ▶ Don't let the other person drag you into something or get off in the weeds
- Set limits
 - ▶ If they are getting hostile, set a limit and stick to it
- Be careful of choices/ultimatums
 - Setting these up can be tricky and can go bad
- Silence can be your friend
 - That uncomfortable moment, can work for you and let the other person think some
- Allow time for decisions
 - ▶ There's no reason you can't formulate a tentative plan and finalize it later

Don't say this

Say that instead

- Calm down.
- I can't help you.
- ▶ I know how you feel.

Come with me.

- I can see that you are upset
- I want to help, what can I do?
- I understand that you feel....
 (bonus- proves you are listening to what they are saying)
- May I speak to you? Or may I speak to you over here? (bonushelping with personal space)

Avoid this

Try this Instead

- Standing rigid directly in front of the person
- Pointing your finger

- Excessive gesturing or pacing
- Faking a smile

- Keep a relaxed and alert stance off to the side of the person
- Keeping your hands down, open, and visible at all times
- Using slow, deliberate movements
- Maintaining a neutral and attentive facial expression

Active Listening Techniques

Active Listening Skill

- Using open ended questions
- Providing encouragement
- Paraphrasing statements
- Reflecting on feelings
- Summarizing interaction

Expected Outcomes

- Person will give more information
- Person elaborates on the topic
- Person feels heard and validated
- Person feels more understood
- Person sees new meaning in his story

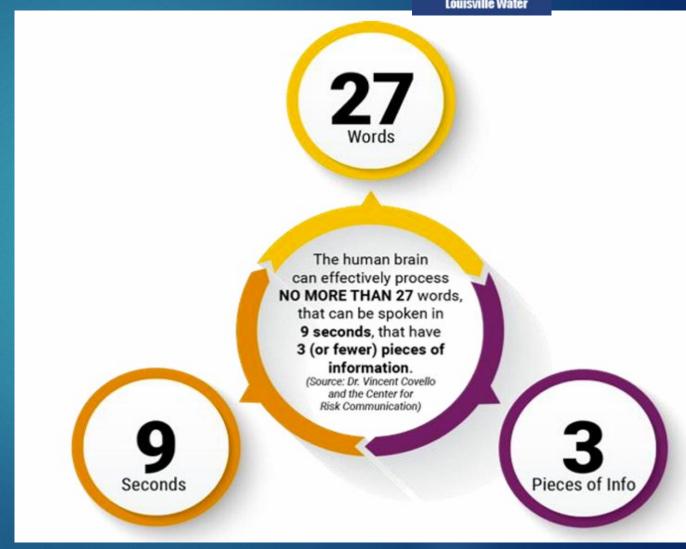
Who is your audience? Who is doing the story telling?

- Who do you want your message to be heard by?
 - Who should be the one telling the story?
- Are you including all your stakeholders?
 - Industrial/ Commercial customers
 - Residential customers
 - Employees
 - Government agencies/ Elected Officials/ Board
 - Local news media/ Social Media
 - Schools/ Health Department

Less is more: 27/9/3 Principal



- The 27/9/3 Principal keeps your communication succinct and clear.
- Just because this comes from Louisville Water doesn't mean it can't work for your system



27/9/3 Principal Example

Is there lead in my drinking water?

- Your drinking water does not contain lead when it leaves the treatment plant
- ▶ The risk comes from pipes and plumbing made of lead (maybe add these types of pipes generally haven't been used since the 1950's)
- The water plant balanced the water chemistry to protect the water if it moves through a lead pipe
 - Our water system was started in the 1960's when lead was generally not the material of choice for water lines

Kelley's Colored Circle Model for Communications



Center is what story do you need to get out

- Who's the audience?
- What's the content you want put out?
- What would you consider success?
- How are you getting the story out?
- The process is a circle, it doesn't stop and needs to be reevaluated as you go



Colored Circle Model Role Play

Your System is getting ready to implement a 30% rate increase to pay for a water line replacement project

- Who is the audience?
- What is the important information to get out?
- What is success?
- How are you getting the story out?
- How are you revaluating? What gets changed?



What's some of Today's take aways?

- Communication isn't tough, but you as a system need to work on it some
- Your system needs to have 1 message
- Who is creating that message?
- De-escalation techniques work, don't be afraid to learn/use them
- Active listening is a skill to learn and use
- ► The 27/9/3 Principal is most likely something new to you, but can be very useful
- Remember Kelley's Colored Circle model, and if nothing else remember that your communication plan/strategy needs to be reviewed and updated, it's not something set in stone

Contact Me

Pete Conrad P.Conrad@KRWA.org

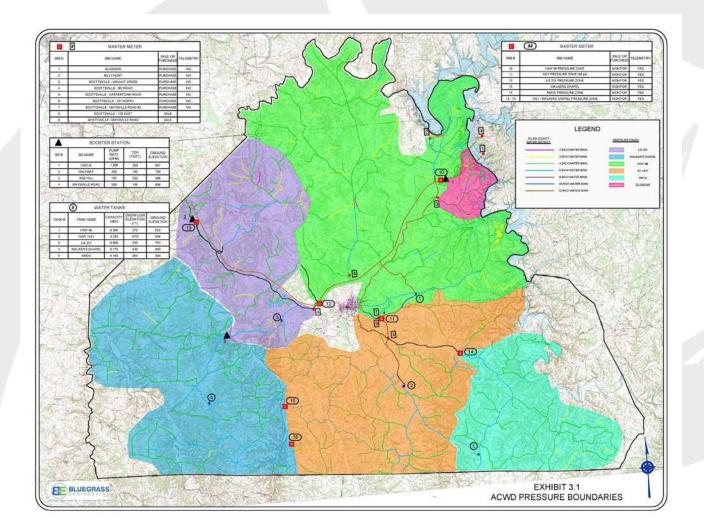
Reducing Water Loss Step by Step

Joe Burns Kentucky Rural Water Association

- Water District (KRS Chapter 74) formed in 1974
- Purchases water from Glasgow Water Company & City of Scottsville
- ~6,500 total customers
- Historic Water Loss from 20% 40%
- Operate Six Pressure Zones Pressures from 35 200 psi



System Makeup

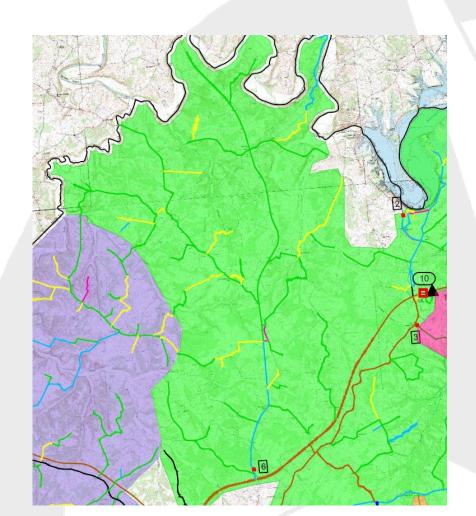


Decade of Installation	Pipe (Linear Feet)	Percentage of Total Pipe
1970	1,323,515	52%
1980	518,761	20%
1990	226,008	9%
2000	416,289	16%
2010	68,632	3%

Diameter of Pipe	Pipe (Linear Feet)	Percentage of Total Pipe Diameter
2-inch or less	33,749	1.3%
3-inch	239,783	9.5%
4-inch	1,473,814	58.1%
6-inch	514,047	20.3%
8-inch	94,047	3.7%
10-inch	17,831	0.7%
12-inch	161,675	6.4%

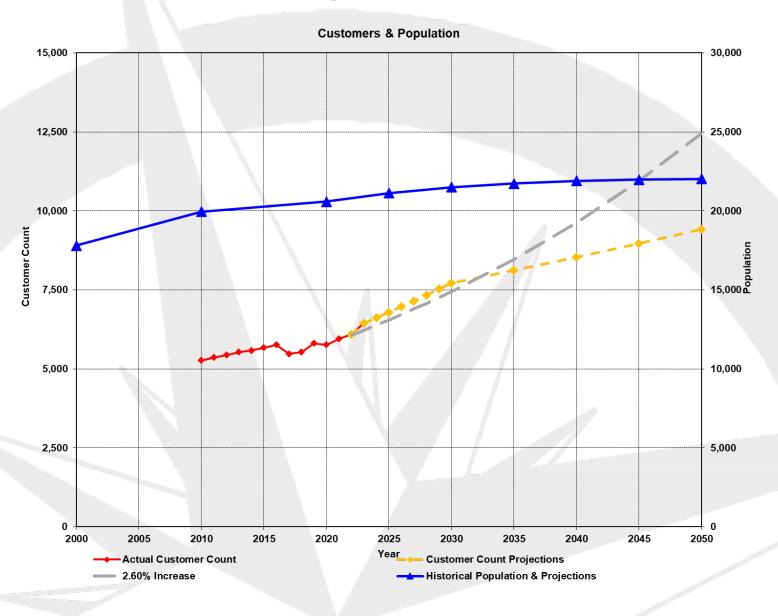


Growth, Growth



- Historically heavy with agricultural customers
- Shifting End Users
- More customer density
- Customer Expectations
- Seasonal Customers







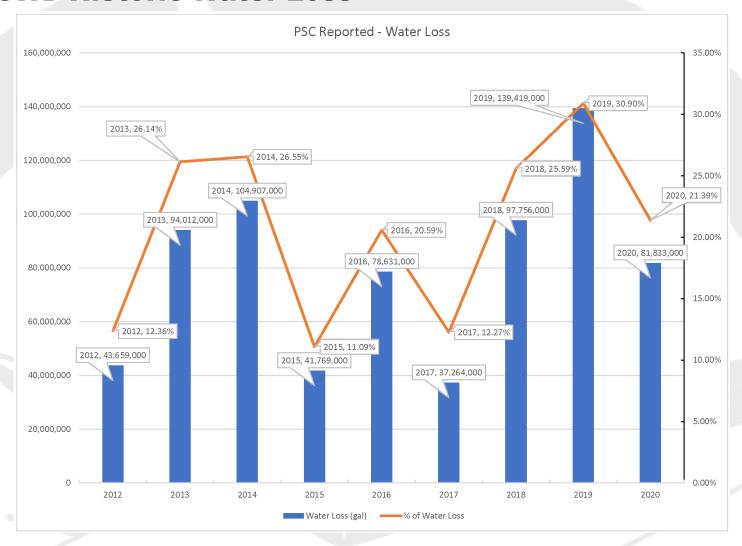
ACWD Goals



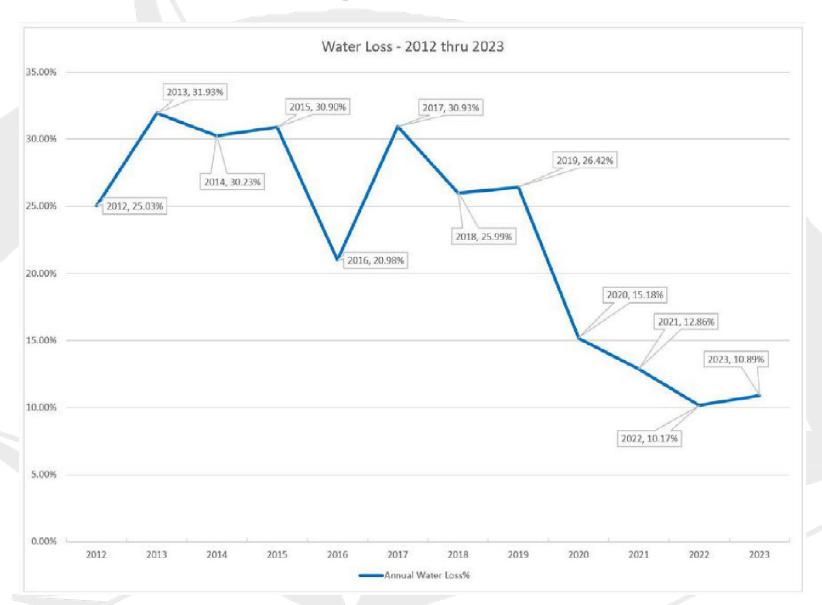
- Reduce Non-Revenue Water
- Maintain less than 15% Water Loss on a 12-month average
 - Would reduce lost revenue by \$81,000 annually
- Develop & Implement Water Loss Control Program
- Be Proactive in Finding & Removing Water Loss Sources



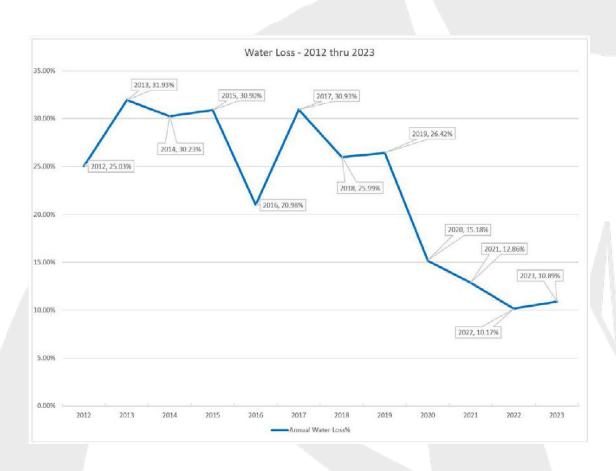
ACWD Historic Water Loss

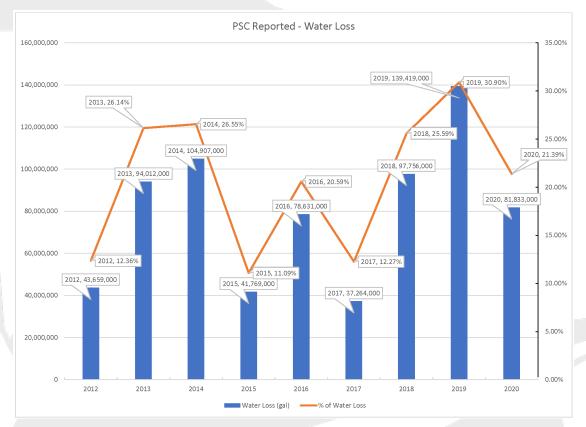
















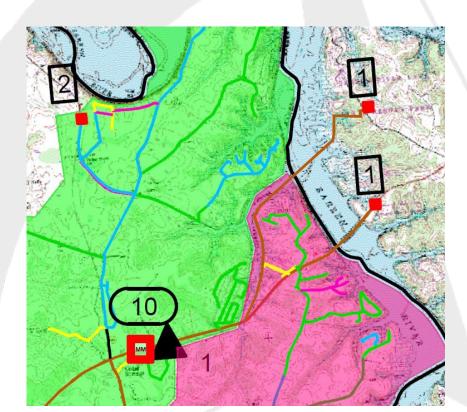


- ACWD Steps to Water Loss Reduction
 - Review of Existing Data
 - Establish Baseline
 - Improve Data Accuracy
 - Use the Data
 - Be Proactive





- Review of MORs
 - ACWD purchases water from GWC & Scottsville
 - Discrepancies between GWC & ACWD MORs



- Discrepancies in Water Loss %



- Review of System Operations
 - Established Pressure Zone account classifications
 - Review Usage Biannually
 - Established Pressure Zone Metering Locations
 - Read Master Meters Daily
 - Established Spreadsheets for Data Entry
 - Building Historic Baseline



- Review of Data
 - Correlating Meter Readings
 - Read at different times of the month
 - GWC reads on 1st of the month
 - Scottsville reads on 20th of the month
 - ACWD reads on the 18th of the month
 - Water Loss on a 12-month rolling average



- Water Loss Control Program
 - Formalized SOPs
 - Data Collection
 - Data Monitoring
 - Trigger Limits



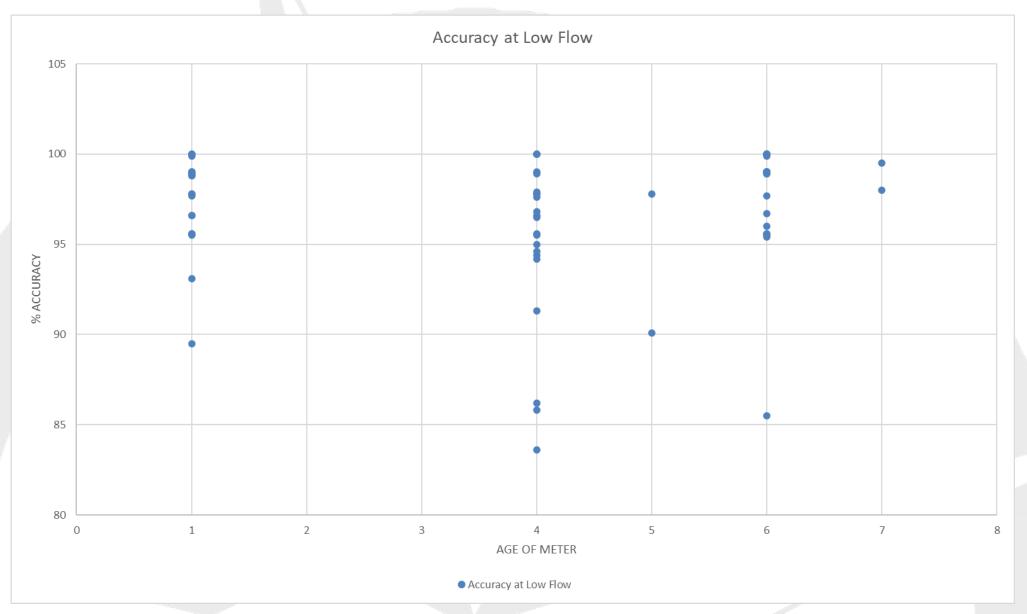
- Water Meter Accuracy Verification
 - No reads increased
 - Randomly bulled meters for testing

1	Meter Year	Total Number of	Margin of Error (%)		urate	
	Meter Tear	Meters	10 +/-	15 +/-	20 +/-	
	2022	537	82	40	23	rsږ
	2025	617	83	40	23	

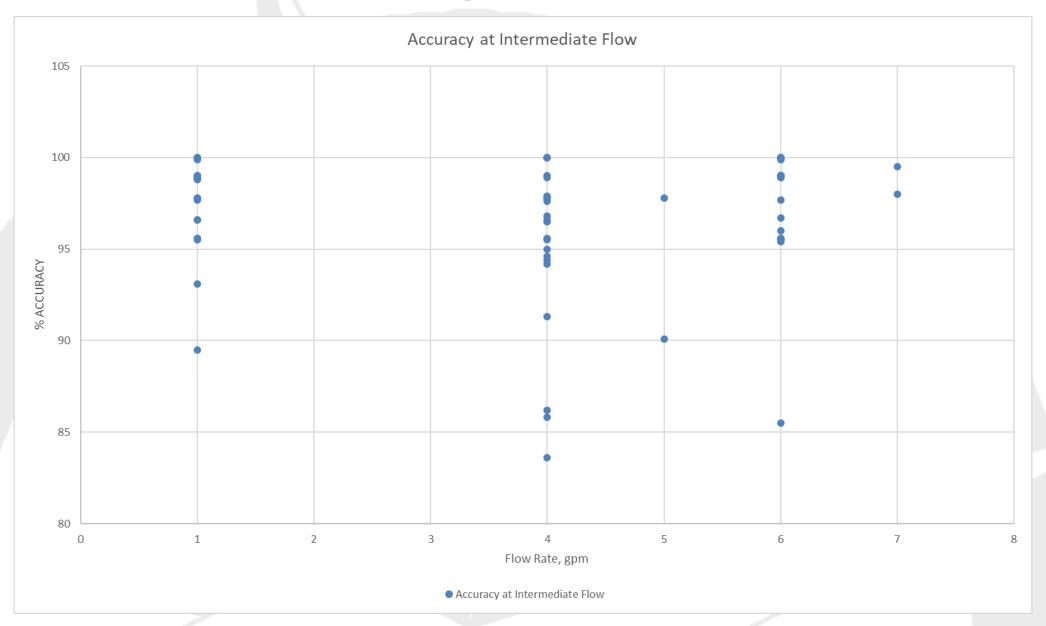
2028 Totals

Meter Age	# of Meters Tested	Low Flow (1/4 gpm) Slow/Accurate/Fast	Intermediate Flow (2 gpm) Slow/Accurate/Fast	Maximum Flow (15 gpm) Slow/Accurate/Fast
1-Year	20	50%/50%/0%	30%/70%/0%	0%/70%/30%
4-Year	24	79%/21%/0%	25%/71%/4%	4%/79%/17%
6-Year	26	39%/61%/0%	4%/88%/8%	4%/77%/19%

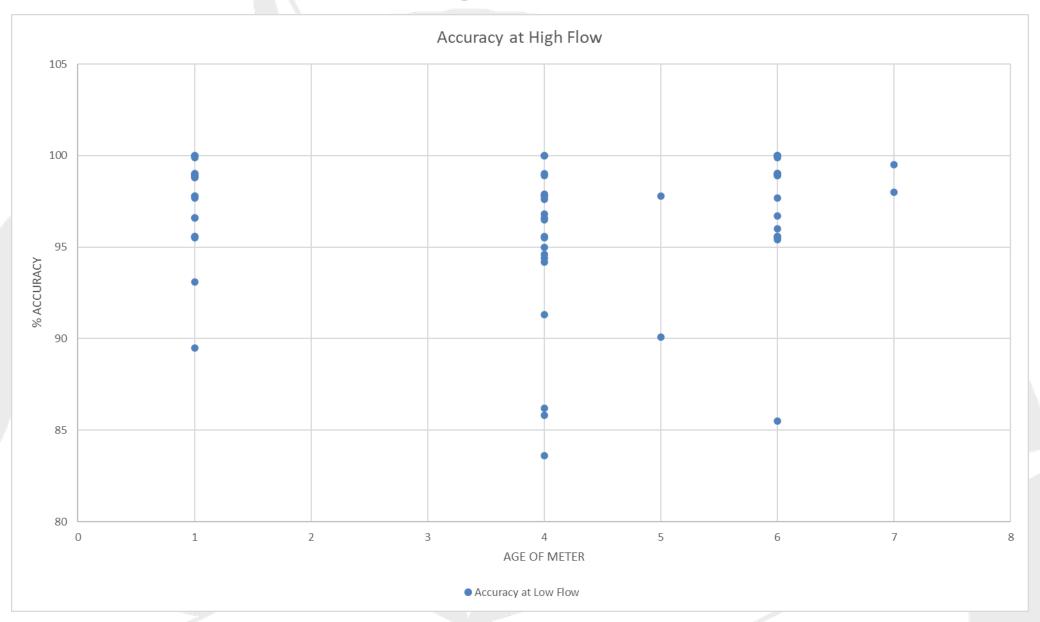














- Water Meter Selection
 - Capture low flow at the meter
 - Radio Read System
 - Losing 25 work days to manual
 - Monitoring of water usage



Residential Water Meters



- Neptune, Sensus, Badger, Diehl, Kamstrup
- Had to capture low flow
- Monitoring of water usage for customer relations











- Zone Master Meters
 - Utilized several different manufacturers
 - Mag Meters at Booster Stations & Isolation MM
 - e-Flowmeter (insertion flow meter) at Control Valves
 - Smart Meter Technology

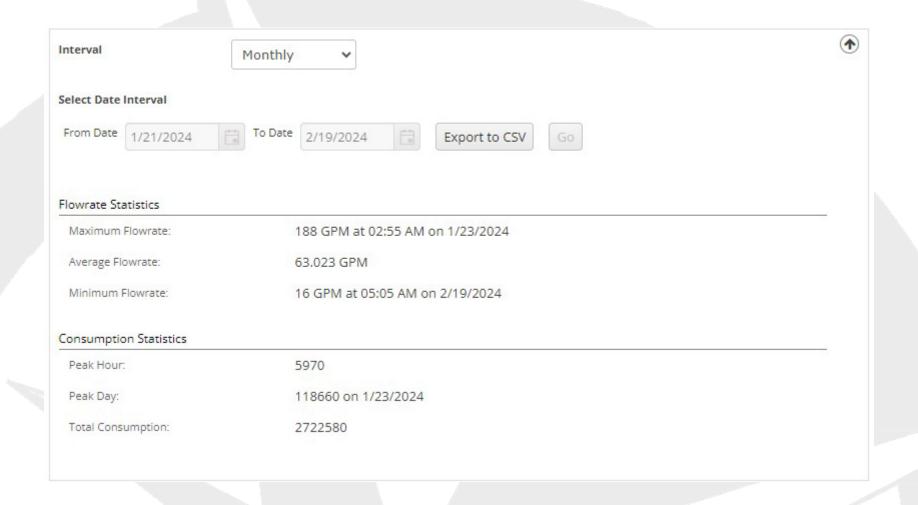




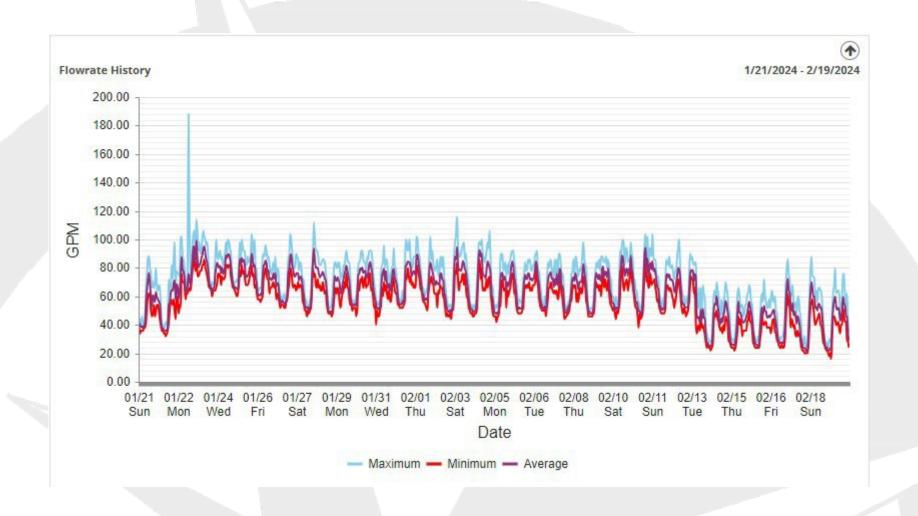






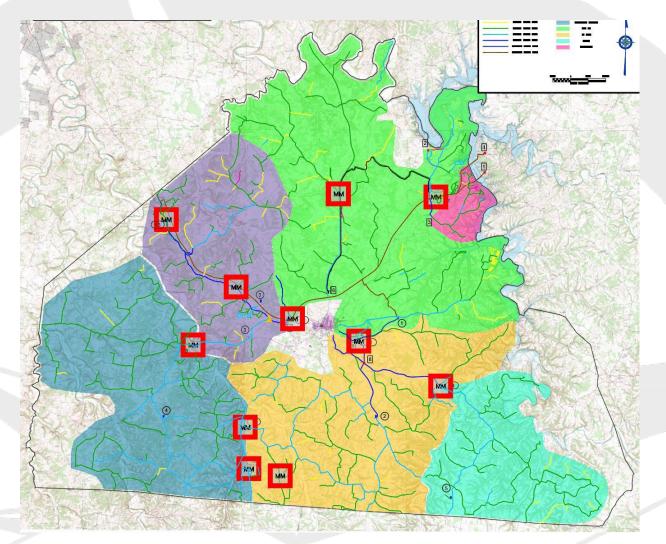








Zone Master Meter Locations





Establishing a Baseline

- What is our water loss?
 - Real or Apparent Water Losses
- What are potential sources of real water loss?
- How can we isolate pressure zones via meters, usage & water loss?



Bluegrass Engineering, PLLC

- Utility Consulting Firm established in 2017
- Located in Georgetown, KY
- Work for 35+ utilities across the Commonwealth of Kentucky

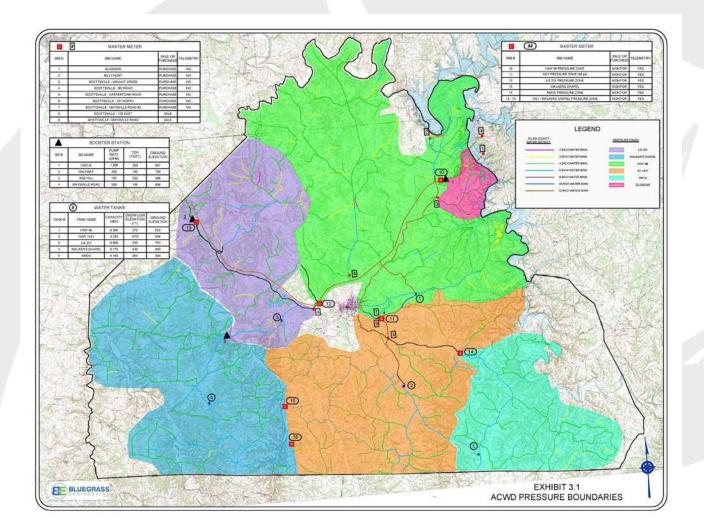




- Water District (KRS Chapter 74) formed in 1974
- Purchases water from Glasgow Water Company & City of Scottsville
- ~6,500 total customers
- Historic Water Loss from 20% 40%
- Operate Six Pressure Zones Pressures from 35 200 psi



System Makeup

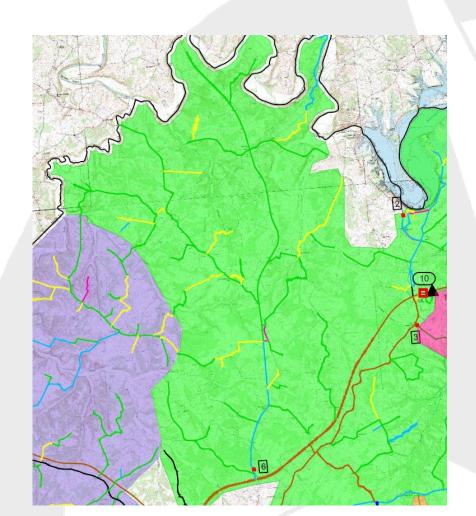


Decade of Installation	Pipe (Linear Feet)	Percentage of Total Pipe
1970	1,323,515	52%
1980	518,761	20%
1990	226,008	9%
2000	416,289	16%
2010	68,632	3%

Diameter of Pipe	Pipe (Linear Feet)	Percentage of Total Pipe Diameter
2-inch or less	33,749	1.3%
3-inch	239,783	9.5%
4-inch	1,473,814	58.1%
6-inch	514,047	20.3%
8-inch	94,047	3.7%
10-inch	17,831	0.7%
12-inch	161,675	6.4%

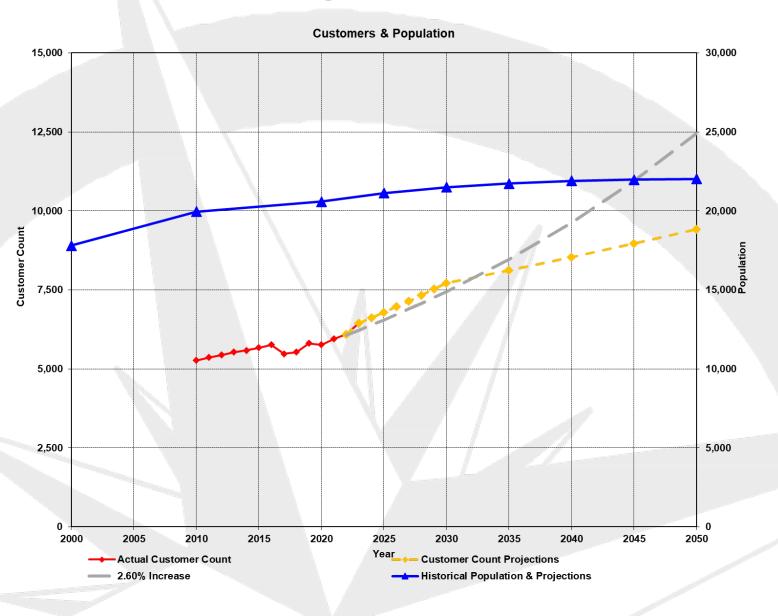


Growth, Growth



- Historically heavy with agricultural customers
- Shifting End Users
- More customer density
- Customer Expectations
- Seasonal Customers







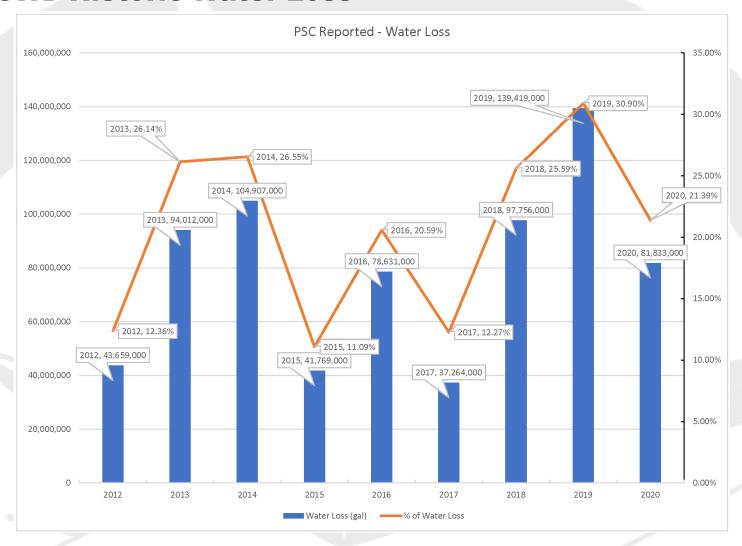
ACWD Goals



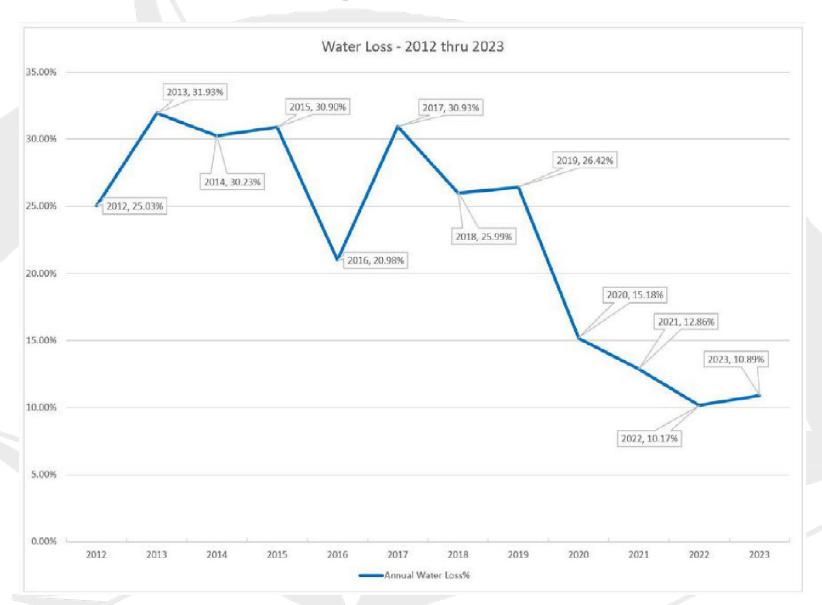
- Reduce Non-Revenue Water
- Maintain less than 15% Water Loss on a 12-month average
 - Would reduce lost revenue by \$81,000 annually
- Develop & Implement Water Loss Control Program
- Be Proactive in Finding & Removing Water Loss Sources



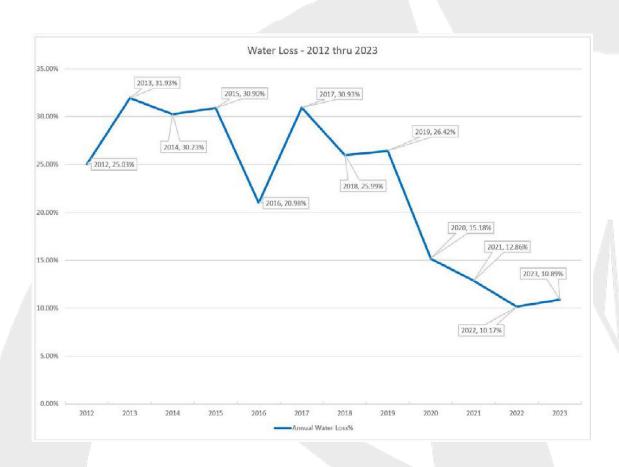
ACWD Historic Water Loss

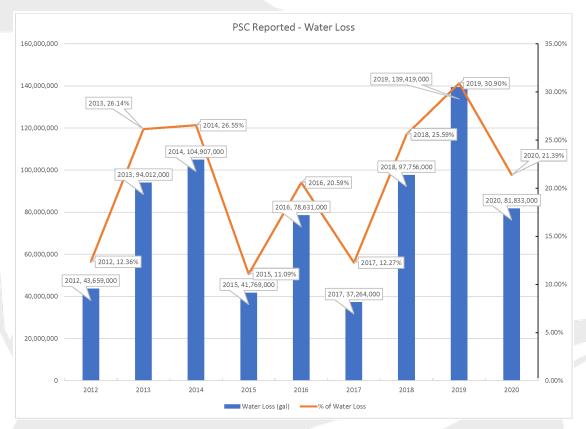
















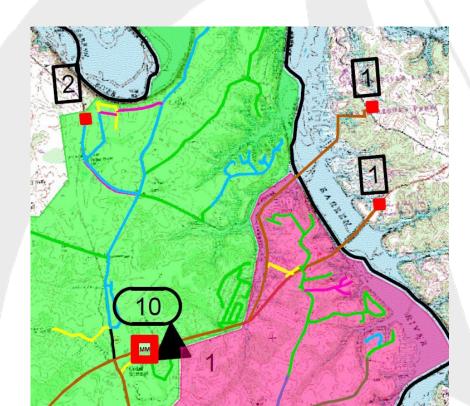


- ACWD Steps to Water Loss Reduction
 - Review of Existing Data
 - Establish Baseline
 - Improve Data Accuracy
 - Use the Data
 - Be Proactive





- Review of MORs
 - ACWD purchases water from GWC & Scottsville
 - Discrepancies between GWC & ACWD MORs



- Discrepancies in Water Loss %



- Review of System Operations
 - Established Pressure Zone account classifications
 - Review Usage Biannually
 - Established Pressure Zone Metering Locations
 - Read Master Meters Daily
 - Established Spreadsheets for Data Entry
 - Building Historic Baseline



- Review of Data
 - Correlating Meter Readings
 - Read at different times of the month
 - GWC reads on 1st of the month
 - Scottsville reads on 20th of the month
 - ACWD reads on the 18th of the month
 - Water Loss on a 12-month rolling average



- Water Loss Control Program
 - Formalized SOPs
 - Data Collection
 - Data Monitoring
 - Trigger Limits



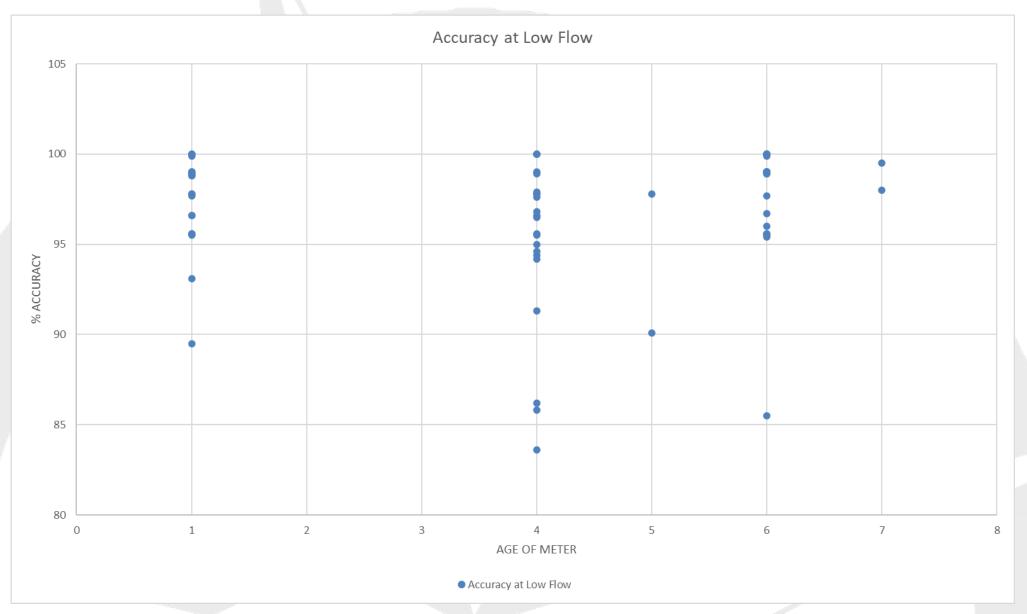
- Water Meter Accuracy Verification
 - No reads increased
 - Randomly bulled meters for testing

1	Meter Year	Total Number of Meters	Margin of Error (%)			:urate /
ı			10 +/-	15 +/-	20 +/-	
ı	2022	537	82	40	23	rsر
	2025	617	83	40	23	

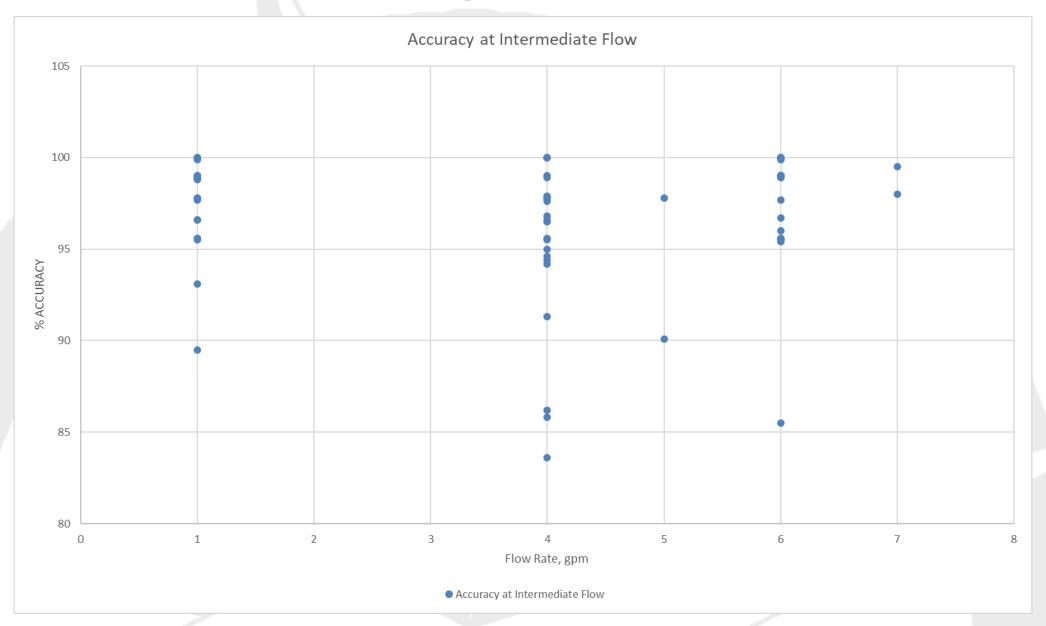
2028 Totals

•	Meter Age	# of Meters Tested	Low Flow (1/4 gpm) Slow/Accurate/Fast	Intermediate Flow (2 gpm) Slow/Accurate/Fast	Maximum Flow (15 gpm) Slow/Accurate/Fast
	1-Year	20	50%/50%/0%	30%/70%/0%	0%/70%/30%
	4-Year	24	79%/21%/0%	25%/71%/4%	4%/79%/17%
	6-Year	26	39%/61%/0%	4%/88%/8%	4%/77%/19%

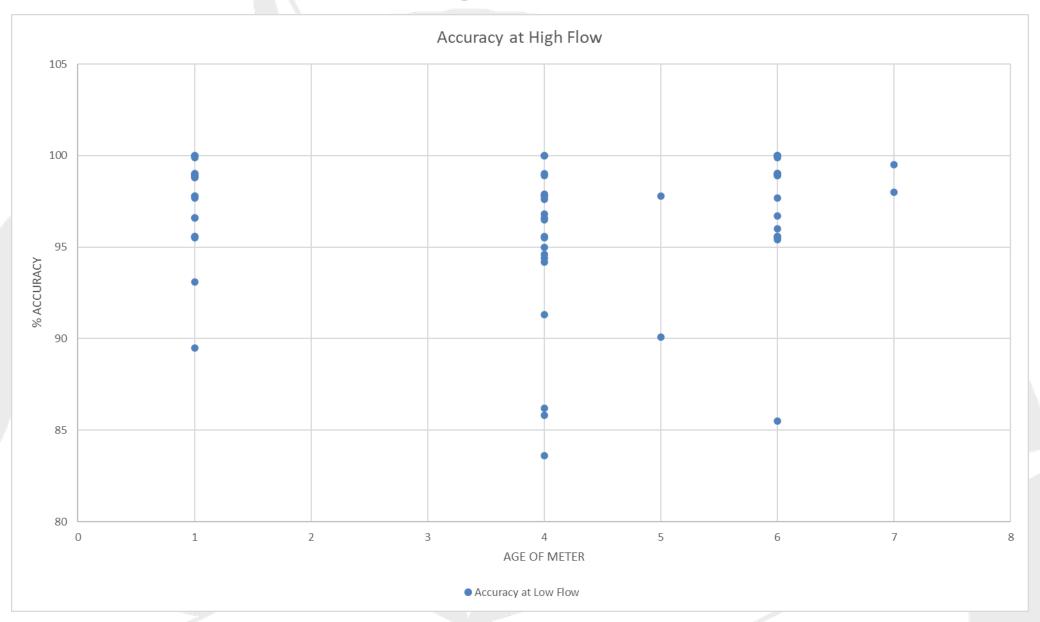














- Water Meter Selection
 - Capture low flow at the meter
 - Radio Read System
 - Losing 25 work days to manual
 - Monitoring of water usage



Residential Water Meters



- Neptune, Sensus, Badger, Diehl, Kamstrup
- Had to capture low flow
- Monitoring of water usage for customer relations











- Zone Master Meters
 - Utilized several different manufacturers
 - Mag Meters at Booster Stations & Isolation MM
 - e-Flowmeter (insertion flow meter) at Control Valves
 - Smart Meter Technology

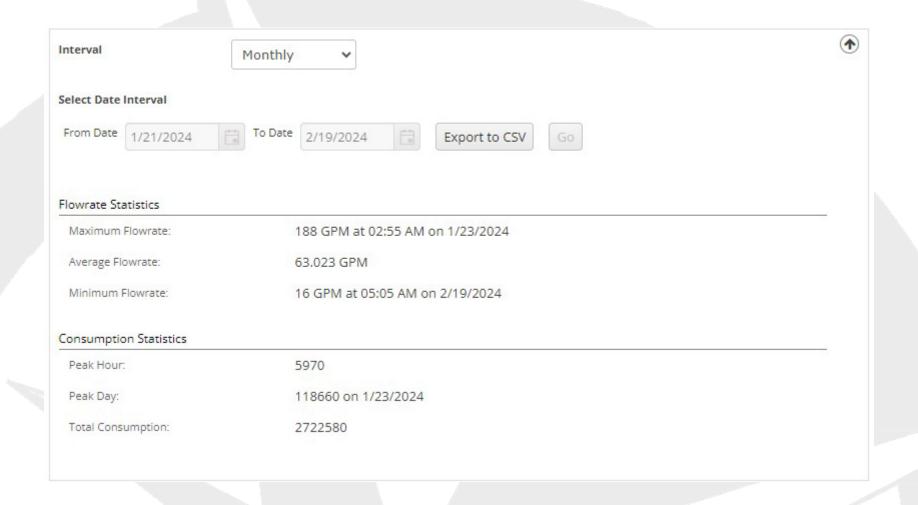




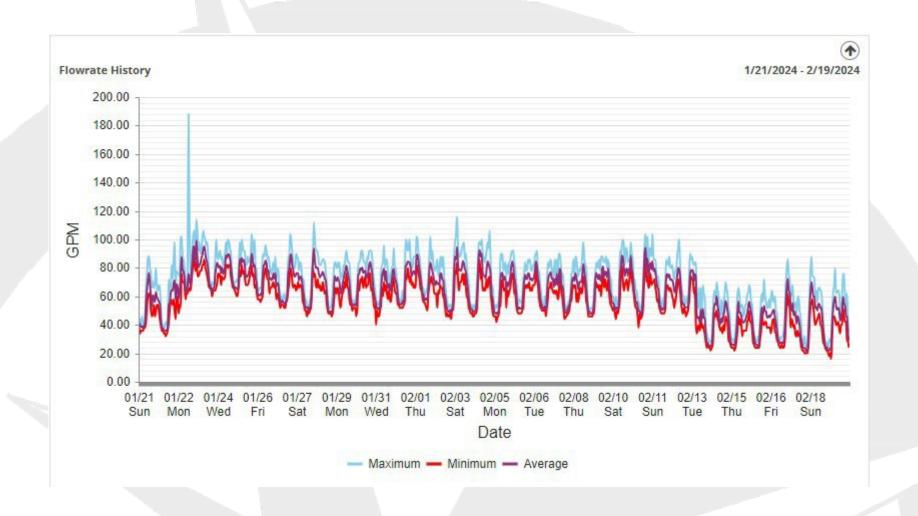






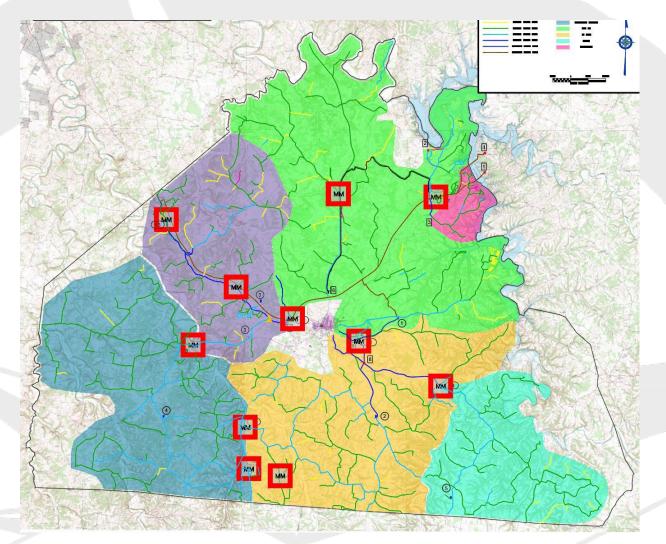








Zone Master Meter Locations





Establishing a Baseline

- What is our water loss?
 - Real or Apparent Water Losses
- What are potential sources of real water loss?
- How can we isolate pressure zones via meters, usage & water loss?



Establishing a Baseline

- Real Water Losses
 - Water on the Ground from water mains
 - Service Connections
 - Tank Overflows
- Apparent Water Losses
 - Data Entry Errors
 - Failing Meters
 - Inaccurate Meters
 - Unauthorized Consumption
- How can we isolate pressure zones via meters, usage & water loss?



Establishing a Baseline

- Real Water Losses
 - Water on the Ground from water mains
 - Service Connections
 - Tank Overflows
- Apparent Water Losses
 - Data Entry Errors
 - Failing Meters
 - Inaccurate Meters
 - Unauthorized Consumption
- How can we isolate pressure zones via meters, usage & water loss?



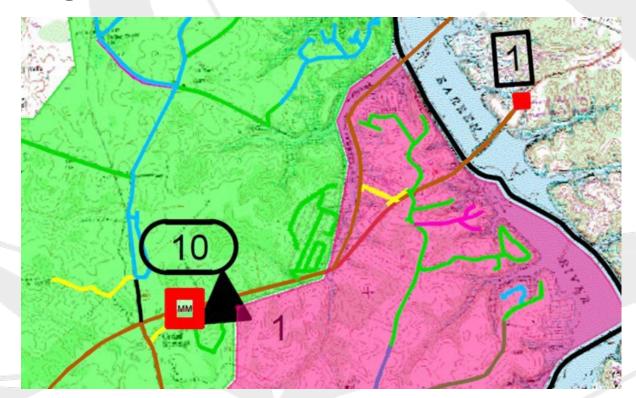
Real Water Loss

- Identifying Leaks
 - Step Down Valve Isolation
 - Daily Master Meter Readings
 - Tank Levels
 - Verifying SCADA set points
 - Pressure & Flow Monitoring



Real Water Loss

- US 31-E Emergency Water Main Repair
- Gate Valve Replacement at 31-E BPS
- Old Bowling Green Road Water Main





Apparent Water Loss

- Data Entry Errors
 - Radio Read Meters
 - Master Meter Readings
 - Downloaded Data vs hand written
- Failing/Inaccurate Meters
 - The meter is your cash register
 - Get what you pay for
 - Low Flow is water loss
- Unauthorized Consumption
 - Jumpers
 - Fire Hydrant



Improve Data Accuracy

- Smart Meter Technology
 - Radio Read Meters
 - Cellular Meters
 - SCADA
 - Fixed Net
- Monitoring High Users Meters
- Keep your Data



Use the Data

- Data Acquisition
 - Data for Data sake is a waste of time
 - Use data to determine status
 - Adjust Metrics over time
- Monitor Metrics Daily
 - Hot Spots
 - Usage Changes
- 12-Month Running Averages
 - Discrepancies in Meter Reading Schedules
 - Main line breaks happen
 - Seasonal Usages
 - More Accurate Assessment



Be Proactive

- Follow the Data Trends Not Raw Data
- Establish Responsibility for Water Loss
 - Water Loss Team
 - Attainable Water Loss %
 - Low Flow is water loss
- Success of ACWD was empowering the staff
 - Took ownership of water loss

