CITY OF LIVINGSTON
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:
ELECTRONIC INVESTIGATION INTO WOOD CREEK WATER DISTRICT'S TERMINATION OF WHOLESALE WATER SERVICE TO THE CITY OF LIVINGSTON FOR NONPAYMENT OF BILLS

CASE NO.
2024-00359

RESPONSE TO COMMISSION STAFF'S FOURTH REQUEST FOR INFORMATION TO CITY OF LIVINGSTON

1. Refer to the Application, generally.

a. Confirm that Livingston considered other bids, outside of Kentucky-American Water Company (Kentucky-American), for the acquisition of its water system.

If not confirmed, explain the response.

The City of Livingston only received one bid for the acquisition of its water system.

b. Explain how Kentucky-American's bid was chosen as a result of the competitive bidding process.

Kentucky-American's bid was chosen at a special-called meeting and voted on by the commission to accept.

2. Case No. 2025-003642. Refer to Livingston's response to Commission Staff's First Request for Information (Staff's First Request) Item 1. Consider this an on-going

request to supplement a copy of Livingston's updated Corrective Action Plan when finalized and submitted to the Kentucky Division of Water.

The City of Livingston has not entered into a new agreed order with the Division of Water regarding the updated CAP at this time. Once the CAP has been adopted, the City of Livingston will provide a copy. Until then, we are under the original agreed order, which will be provided.

3. Confirm whether Livingston has hired or contracted an operator certified through the Energy and Environment Cabinet's Drinking Water and Wastewater Certification Program (Certified Operator). If confirmed, also confirm that the Certified Operator is contracted to serve Livingston until the finalization of the proposed sale to Kentucky-American. If the response is not confirmed, explain how Livingston is currently addressing this failure to comply with 401 KAR 8:030(1)(2)a.

The City of Livingston has not hired or contracted a certified operator. The City of Livingston has run several ads and has not found a licensed operator. The City of Livingston has been working with contractors for work needed and also working with Kentucky American to fix issues.

4. Refer to Livingston's response to Staff's First Request, Item 5. Provide an explanation of the cause for the increased water loss from January 2025 through August 2025. If there are multiple reasons, provide each reason with a corresponding date.

For July through August, there was an unknown leak within the water system. This problem was rectified with the assistance of Kentucky-American when a main water break worsened, leading to the discovery of the leak. Due to the location of the line break being under the HWY 25 bridge, the leak was indistinguishable for an unknown amount of time. During this same time period, multiple leaks were discovered at Mount Holly Road and were repaired.

5. Provide water loss reports for the months of September 2025 through November 2025, by month.

September: 13.3%

Purchased: 1,349,099

Sold Residential: 973,952

Sold Commercial: 195,885

October: 54.2%

Purchased: 2,553,800

Sold Residential: 973,952

Sold Commercial: 195,885

- **Bills in October were estimated and then adjusted due to loss of water during line breaks.**

November: 74.7%

Purchased: 1,743,600

Sold Residential: 236,886

Sold Commercial: 205,050

8. Refer to Livingston's response to Staff's First Request, Item 6. Provide the number of known deposits recorded and the amount of all known deposits. The City of Livingston has been in the process of contacting all customers regarding deposits. Deposits had not been recorded in the system. As of 2023, the ordinance change was made to eliminate deposits, and all deposits would have been made prior to this change. A composite of all responses including amount will be submitted upon completion.

9. Refer to Livingston's response to Staff's First Request, Item 7. Consider this is an ongoing request to supplement any updated amounts for Livingston's outstanding debts. The status of Livingston Municipal Water Works debts have not experienced any changes. However, the Public Service Commission will be notified once the debts have been resolved. The City of Livingston is a current recipient of debt relief by KIA WWATERS grant.

10. Refer to Livingston's response to Staff's First Request, Item 11. Consider this an ongoing request to supplement with an explanation of how Livingston voted to Case No. 2025-00364 handle outstanding bills upon the closure of the sale of Livingston's water system to Kentucky-American.

The City of Livingston will be voting on outstanding bills at the next monthly meeting on Friday, January 9th, 2026.

8. Refer to Livingston's response to Staff's First Request, Item 9, which states "dissolution of the company occurs" post-transaction.

a. Confirm if "dissolution of the company" refers to the Livingston Municipal Water Works entity entirely. If not confirmed, explain what the statement is referencing.

This does refer to Livingston Municipal Water Works entirely, as Livingston Wastewater Treatment Plant is a separate entity.

b. Explain if the entity is dissolved and all employees are terminated, who will physically operate, maintain, and manage the billing for the Livingston Wastewater Treatment Plant and collection system, which are the duties and business activities being retained by Livingston.

The Livingston Wastewater Treatment Plant will continue operation by the current operator, and employees needed for operation are already or will be reassigned to that entity.

I, Samantha Smoker, attest that all information in this document is true to my knowledge.

City Clerk: January 06, 2026