

TONI AKERS  
P.O. Box 392  
Pikeville, Kentucky 41501

July 15, 2009

Mr. David Armstrong, Commissioner  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40601

RECEIVED

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PUBLIC SERVICE  
COMMISSION

RE: **Mountain Water District**  
**Case No. 2009-00209**

Dear Commissioner Armstrong:

With regard to the above referenced case that addresses my eligibility to continue to serve as a Commissioner of Mountain Water District, I want to emphasize several points that may not have been adequately covered in the hearing held on July 9, 2009.

First, as was pointed out at the end of the hearing, KRS 74.020 defines residency requirements for water district board member as follows: "... Members of the board shall be residents of the district or of any incorporated or unincorporated area served by the district in which the district was originally established..." It is clear, based on the maps and testimony given in the hearing, that Mountain Water District has provided water service to several customers located within the incorporated area of Pikeville since the District's inception. It seems obvious to me, based on the pertinent language in KRS 74.020, that I meet the residency requirements for a water district board member regardless of the change in the statute authorized in the most recent legislative session.

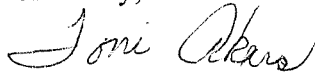
Secondly, with regard to my being a current customer of Mountain Water District even though I currently reside in the incorporated limits of the City of Pikeville, I would like to point out the following. As I testified at the hearing, my husband has an ownership interest in several businesses located in Mountain Water District's service area and are presently customers of the District. Despite the fact that I do not have a direct ownership interest in those businesses, my understanding of Kentucky law is that I have a marital interest in any business that my husband owns by virtue of our marital relationship. This supports my position that I am currently a "customer" of Mountain Water District, as stipulated in the recently passed legislation.

I understand the Public Service Commission's need to clarify my eligibility, but feel strongly, based on the facts and pertinent statute, that I meet the statutory requirements to

serve as a Commissioner of Mountain Water District. As I indicated in the hearing, I am a life long resident of Pike County, I have been and continue to be personally and actively involved in improving Pike County, and want to continue to serve in my present capacity as a Commissioner of Mountain Water District.

I look forward to receiving a favorable ruling from you and the other Commissioners of the Public Service Commission.

Sincerely,

A handwritten signature in cursive script that reads "Toni Akers". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Toni Akers