

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC GRAVES COUNTY WATER	)	
DISTRICT'S UNACCOUNTED-FOR WATER	)	CASE NO.
LOSS REDUCTION PLAN, SURCHARGE, AND	)	2019-00347
MONITORING	)	

ORDER

On December 20, 2021, Graves County Water District (Graves District) filed a letter<sup>1</sup> requesting an extension of time in which to file monthly water loss reports. A subsequent motion filed the evening of December 20, 2021, informed the Commission that due to the tornadic events in the area, Graves District would need additional time to file its monthly water loss reports for November and December, as well as a response to a data request and its annual water loss detection and repair program Progress Report. In its motion, Graves District also requested that the Commission suspend Graves District's obligation to submit monthly water loss and activity reports until April 15, 2022, and establish April 15, 2022, as the date by which Graves District must submit its response to Staff's First Request for Information as well as Graves District's annual water loss detection and repair Progress Report.

Pursuant to KRS 278.040(1), the Commission regulates utilities in this state and has the authority to enforce the provisions of KRS Chapter 278. Additionally, pursuant to KRS 278.040(2), the Commission has exclusive jurisdiction over the rates and services of the utilities in the Commonwealth, such as Graves District. The Commission has "the

---

<sup>1</sup> Graves District's letter is attached to this Order as an Attachment.

plenary authority to regulate and investigate utilities” pursuant to both KRS 278.030 and KRS 278.040.<sup>2</sup>

Pursuant to Executive Order 2021-923, there exists a state of emergency in Kentucky resulting from a “severe weather system generating heavy rain, thunderstorms, tornadoes, and strong straight-line winds on December 10, 2021, that caused flash flooding, loss of power, damage to public infrastructure and private properties.”<sup>3</sup> The conditions arising from the severe weather endanger public health and safety.

Based on the motion and being otherwise sufficiently advised, the Commission finds that good cause exists to grant Grave District’s motion for an extension of time in light of the nature of the emergency. Pursuant to KRS 278.030, utilities are obligated to furnish adequate, efficient, and reasonable service. The Commission finds that report preparation would divert valuable resources needed to restore distribution of safe drinking water and repair damaged infrastructure to ensure safety and service in this time of emergency. However, the Commission finds that March 1, 2022, is a more appropriate date by which Graves District should submit the reports and responses discussed above. Additionally, the Commission finds that suspension of the obligation to file water loss and activity reports is not appropriate. The Commission finds that rather than suspending the obligation to file reports that would have otherwise been due December 15, 2021, through April 15, 2022, that Graves District should be granted an extension until March 1, 2022 to file all such reports.

---

<sup>2</sup> *Kentucky Public Service Comm’n v. Commonwealth ex rel. Conway*, 324 S.W.3d 373, 383 (Ky. 2010).

<sup>3</sup> Executive Order 2021-924 (Dec. 11, 2021), <http://web.sos.ky.gov/execjournalimages/2021-MISC-2021-0923-277844.pdf>

Nothing in this Order should be construed as relieving the utility from the obligation to provide information to the Commission. The Commission encourages the utility to file the reports as soon as practicable. The Commission is taking this measure to ensure that customers are provided necessary services required to maintain health and safety. Finally, nothing in this Order precludes Graves District from seeking additional time to file any of the documents discussed herein.

IT IS THEREFORE ORDERED that:

1. Graves District's motion to suspend the obligation to file water loss and activity reports until April 15, 2022, is denied.
2. On or before March 1, 2022, Graves District shall file its water loss reports for November 2021, December 2021, and January 2022.
3. Graves District's obligation to file water loss and activity reports by the fifteenth day of each month resumes on March 15, 2022, when the report for February 2022 shall be filed with the Commission.
4. The Commission grants Graves District an extension in which to file its response to Staff's First Request for Information and its annual Progress Report of its water loss detection and repair program.
5. On or before March 1, 2022, Graves District shall file its response to Staff's First Request for Information and its annual Progress Report of its water loss detection and repair program.

By the Commission



ATTEST:

  
Linda C. Bidwell  
Executive Director

ATTACHMENT

ATTACHMENT TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2019-00347 DEC 29 2021

ONE PAGE TO FOLLOW



# Mayfield Electric & Water Systems

Marty T. Ivy, C.P.E. General Superintendent

12-20-21

To: Linda Bridwell

Due to the destructive tornado that swept across Mayfield and Graves County, Graves County Water District would like an extension on the PSC filing report for the \$5 surcharge and reporting. Hopefully I will have it by Jan 10<sup>th</sup>. We are working very hard to get our office back to somewhat normal.

Thanks

Kristie McAdoo  
Mayfield Electric & Water  
301 East Broadway  
Mayfield, KY 42066  
Cell 270-705-4343

\*Gerald E Wuetcher  
Attorney at Law  
STOLL KEENON OGDEN PLLC  
300 West Vine Street  
Suite 2100  
Lexington, KENTUCKY 40507-1801

\*Graves County Water District  
P. O. Box 329  
301 East Broadway  
Mayfield, KY 42066

\*Graves County Water District  
Graves County Water District  
P. O. Box 329  
301 East Broadway  
Mayfield, KY 42066