

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
WATER RESOURCES RESEARCH)	CASE NO.
INSTITUTE FOR APPROVAL OF)	2021-00050
COMMISSIONER TRAINING AND)	
CONTINUING EDUCATION CREDIT)	

ORDER

On February 2, 2021, Kentucky Water Resources Research Institute (KWRRRI) filed an application for approval and accreditation of a training program entitled *AWWA Free Water Audit Instruction Workshop* (Training Program). KWRRRI anticipates offering both a six-hour and a three-hour version of the Training Program and requests approval and accreditation of both versions of the program. Having reviewed KWRRRI's request and being otherwise sufficiently advised, the Commission approves the program to satisfy the six hours of training described by KRS 74.020(6) and KRS 74.020(7) subject to the conditions discussed herein. KWRRRI did not request that the Training Program be approved and accredited to satisfy any portion of the 12 hours of initial training for newly appointed commissioners required by KRS 74.020(8).

DESCRIPTION OF TRAINING PROGRAM

The Training Program will be conducted in person. KWRRRI anticipated offering the Training Program beginning in February 2021 and continuing to offer it into 2022, but it had not yet scheduled any offerings of the program when it filed its application in this matter. KWRRRI anticipates offering the program on multiple occasions to small groups of

water district commissioners and water utility staff. KWRRRI noted in the application that it is currently working to schedule events with Martin County Water District and Estill County Water District, and that it anticipates additional events with Bath County Water District and Letcher County Water District. The Training Program being offered at no cost to the participants through the financial support provided by United States Department of Agriculture (USDA).

The Training Program is based upon the AWWA M36 Water Audit software using the version 6 protocols released December 4, 2020. KWRRRI indicated that the program will provide regulatory background information, and detailed instructions on the AWWA Water Audit tool and the use of the free software for better management of their system. KWRRRI indicated that their goal is to provide participants with hands-on experience and interaction with instructors in:

- Understanding the need for analyzing water loss and financial impacts on the system.
- Knowledge of the difference between water loss and a water audit.
- Knowledge of the components contained in the water audit.
- Acknowledgement of who is responsible in their utility to collect and maintain the data used in the water audit.
- Conducting a preliminary water audit of their utility.¹

The schedule for the six-hour session indicates that it consists of the following seven sessions, along with a wrap up discussion at the end:

1. Introduction Overview, Terms, and Definitions;
2. Conducting the Water Audit (part 1);
3. Example Walkthrough (Start Page and Worksheet);
4. Conducting the Water Audit (part 2);

¹ Application at 1.

5. Completing your Utility's Audit (beginning);
6. Data Grading and Completing your Utility's Audit; and
7. Results Discussion and Practical Consideration.

KWRRI explains that participants in the six-hour program, among other things, would go through a water audit of a sample utility and would then prepare a water audit of their own utility to the satisfaction of the instructors and would complete a post workshop survey.

The schedule for the three-hour session indicates that it consists of the following five sessions:

1. Overview, Summary of changes AWWA Water Audit V6;
2. Software Updates, New Tabs and Review Utility's Current Information;
3. Interactive Data Grading Walkthrough;
4. Interactive Data Grading Walkthrough (continued), Results Discussion; and
5. Math for Water Audits and Other Resources.

KWRRI indicates that the three-hour program focuses more on changes in the AWWA Water Audit version 6 protocols from the version 5 protocols.

The presenter for the Training Program is Scott Yost, Ph.D., a professor of civil engineering at University of Kentucky. Dr. Yost has a Ph.D. in civil engineering from the University of Michigan and is a licensed professional engineer in Kentucky. KRWVI submitted slides for the Training Program discussing the use of and changes to the AWWA Water Audit tool that it intends to distribute to participants.

DISCUSSION

KRS Chapter 74 authorizes the creation of water districts for the purpose of operating drinking water facilities and wastewater treatment and collection facilities.

Water districts organized under KRS Chapter 74 must be administered by a board of commissioners, which shall control and manage the affairs of the district.² KRS 74.020(8) requires each newly appointed water district commissioner to complete 12 instructional hours of training regarding the laws governing the management and operation of water districts, and other subjects as determined appropriate by the Commission within 12 months of the commissioners' initial appointment.³ KRS 74.020(6) and (7) encourage water district commissioners to complete six instructional hours of "water district management training approved by the Public Service Commission" in each additional calendar year by allowing the commissioners to receive a raise if they complete that training each year.

KRWWI indicates that it is seeking to have the Training Program approved to satisfy six hours, or three hours, depending on the program, of the annual training necessary for water district commissioners to satisfy KRS 74.020(6) and (7), but is not seeking to have it approved to satisfy the initial training requirements of KRS 74.020(8). The Commission has discretion in approving "water district management training" offered by third parties to satisfy the six hours of subsequent training described in KRS 74.020(6) and (7) if it determines that the programs are "high quality" and will "enhance a water district commissioner's understanding of his or her responsibilities and duties."⁴ However, third parties applying for approval of a proposed water district commissioner training

² See KRS 74.020(1)

³ KRS 74.020(8)(b) (discussing the training requirements for new water district commissioners).

⁴ See KRS 74.020(7)(c) (stating that the Commission "shall encourage and promote the offering of high quality water district management training programs that enhance a water district commissioner's understanding of his or her responsibilities and duties").

program must file their applications, including a detailed description of the program, a description of the qualifications of any presenters, and a copy of the written materials to be distributed at the program among other things, 30 days prior to the first date on which the program is to be offered.⁵

Here, the Training Program covers topics that will be relevant and useful to water district commissioners. Moreover, the presenter appears to have knowledge of the topics he intends to discuss, and based on a review of the materials provided, the Training Program appears to be well developed and of high quality. Thus, the Commission finds that both the six-hour and the three-hour Training Program will provide water district commissioners relevant and useful knowledge that will enhance the quality, management, operation or maintenance of the water systems they operate and, therefore, will conditionally approve the Training Program to satisfy the training requirements set forth in KRS 74.020(6) and (7) or a portion thereof.

However, the Commission notes that when the application was filed that KRWWI did not have any offering of the Training Program scheduled but indicated that it intended to offer it throughout 2021 and into 2022. Pursuant to 807 KAR 5:070, Section 3, the Commission's approval of a training program is valid for 12 months, so the approval granted herein shall remain valid from the date the application was filed and for 12 months from the date of this Order. To the extent KRWWI seeks to continue offering this Training Program beyond that period, it should request renewal of the approval pursuant to 807 KAR 5:070, Section 3, or file a new application for approval.

⁵ Case No. 2018-00085, *Review of Training Required and Authorized by KRS 74.020 for the Commissioners of Water Districts* (Ky. PSC Mar. 15, 2018), Order at 4–5.

IT IS THEREFORE ORDERED that:

1. KRWWI's six-hour Training Program is hereby conditionally approved and accredited for up to six hours of annual water district management training for water district commissioners seeking to satisfy the training requirements set forth in in KRS 74.020(6) and (7).

2. KRWWI's three-hour Training Program is hereby conditionally approved and accredited for up to three hours of annual water district management training for water district commissioners seeking to satisfy the training requirements set forth in in KRS 74.020(6) and (7).

3. KRWWI's Training Program may not be used by water district commissioners seeking to satisfy any portion of the initial training requirement for water district commissioners required by KRS 74.020(8).

4. KRWWI shall retain a record of all water district commissioners attending the Training Program.

5. No later than 30 days after each scheduled offering of the Training Program, KRWWI shall file with the Commission:

a. A sworn statement attesting that the accredited instruction was performed, including a statement that the materials regarding each sessions were distributed as required by the Commission herein;

b. A description of any changes in the presenters or purposed curriculum that occurred after the application;

c. The name of each attending water district commissioner, his or her water district, and the number of hours that he or she attended; and

d. A copy of any written material given to water district commissioners attending the sessions that was not previously provided to the Commission.

6. Upon receipt of the materials identified in paragraph 5 and provided there are no material changes to the program, the Commission shall issue a final Order approving and accrediting each offering of the Training Program.

7. KRWWI shall notify the Commission in advance by filing a letter in this case when it schedules future offerings of the Training Program and shall permit a representative of the Commission to attend the Training Program at the Commission's discretion, without charge, to assess compliance with this Order or the quality of instruction or for any other purpose deemed necessary by the Commission.

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By the Commission



ATTEST:



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