

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF THE)	
KENTUCKY-TENNESSEE SECTION OF THE)	CASE NO.
AMERICAN WATER WORKS ASSOCIATION)	2021-00166
FOR PROVIDING A TRAINING COURSE FOR)	
CONTINUING EDUCATION)	

ORDER

On April 13, 2021, the Kentucky/Tennessee Section of the American Water Works Association (KY/TN AWWA) requested approval and accreditation, pursuant to KRS 74.020(6) and (7) and 807 KAR 5:070, for the proposed water district management training entitled *Setting Effective Rates for Small Systems* (Training Program). Having reviewed KY/TN AWWA's request and being otherwise sufficiently advised, the Commission conditionally approves and accredits the program to satisfy up to six hours of annual training required by KRS 74.020(6) and (7), for water district commissioners. KY/TN AWWA 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 covers setting effective rates for small systems by discussing the individual systems of the attendees and an example system. The Training Program describes the process of creating a multi-year financial plan, will have attendees identify the costs and revenues that make up the finances of their systems, and will have

attendees evaluate the sufficiency of revenues for an example small system through an exercise.

The Training Program will be conducted on two or more occasions this year at a time and place to be determined. The program will be six hours in length and will take place in person, on a single day at each offering. Attendees of the program will be provided a copy of American Water Works Association's publication M-54, *Developing Rates for Small Systems*, Second Edition. The program is sponsored and funded by the American Water Works Association, the United States Department of Agriculture, and the Partnership for Safe Water. The Training Program will be offered to leaders and decision makers of municipal and regulated water utilities at no cost to attendees.

The Training Program will be presented by Connie Lea Allen, PE, CCM, the principal engineer at Salt River Engineering. Among other things, Ms. Allen has a Bachelor of Science in Civil Engineering and a Master of Business Administration, and is a registered professional engineer in both Kentucky and Ohio. She has years of experience in the water and wastewater industry as an engineer and has participated as a witness before the Commission in cases regarding wholesale water rates.

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.¹ KRS 74.020(8) requires each newly appointed water district commissioner to complete 12 instructional

¹ See KRS 74.020(1).

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 commissioner's initial appointment.² KRS 74.020(6) and (7) encourage water district commissioners who are not serving in their first year to complete six instructional hours of "water district management training approved by the Public Service Commission" in each additional year by allowing the commissioners to receive a raise if they complete that training each year.

KY/TN AWWA indicates that it is seeking to have the Training Program approved to satisfy the six hours of annual training necessary for water commissioners to satisfy KRS 74.020(6) and (7). The Commission has discretion in approving "water district management training" offered by third parties to satisfy the six hours of annual 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."³ However, third parties applying for approval of a proposed water district commissioner training 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.⁴

² KRS 74.020(8)(b) (discussing the training requirements for new water district commissioners).

³ 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").

⁴ 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.

KY/TN AWWA provided the information required by 807 KAR 5:070 and the Commission's Order in Case No. 2018-00085 in a timely manner. Based on that information, the Commission finds that KY/TN AWWA's Training Program is of a "high quality" and will enhance water district commissioners' understanding of their responsibilities and duties.⁵ Thus, the Commission conditionally approves and accredits the Training Program for water district commissioners seeking to satisfy the training requirements set forth in KRS 74.020(6) and (7).

However, the Commission notes that when the request was filed, KY/TN AWWA did not have any offering of the Training Program scheduled but indicated that it intended to offer the program at least twice this year. 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 KY/TN AWWA 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.

IT IS THEREFORE ORDERED that:

1. KY/TN AWWA's 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 KRS 74.020(6) and (7).

⁵ 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").

2. KY/TN AWWA'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).

3. KY/TN AWWA shall retain a record of all water district commissioners attending the Training Program.

4. No later than 30 days after each scheduled offering of the Training Program, KY/TN AWWA shall file with the Commission:

a. A sworn statement attesting that the accredited instruction was performed;

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

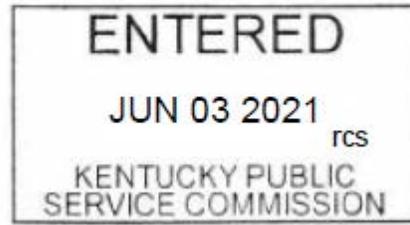
c. The name of each attending water district commissioner, his or her water district, and the number of hours that he or she attended; and

d. A copy of any written material given to water district commissioners attending the presentations if not previously identified to the Commission.

5. Upon receipt of the materials identified in paragraph 4 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.

6. KY/TN AWWA shall notify the Commission in advance 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.

By the Commission



ATTEST:


Executive Director

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