

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION INTO THE	)	
FINANCIAL AND OPERATING CAPACITY OF	)	
RATTLESNAKE RIDGE WATER DISTRICT	)	
INCLUDING RATTLESNAKE RIDGE WATER	)	
DISTRICT AND ITS INDIVIDUAL	)	CASE NO.
COMMISSIONERS, AND MANAGER DAVID	)	2021-00340
GIFFORD FOR ALLEGED FAILURE TO COMPLY	)	
WITH KRS 278.300 AS WELL AS POSSIBLE	)	
VACANCIES ON THE BOARD OF	)	
COMMISSIONERS OF RATTLESNAKE RIDGE	)	
WATER DISTRICT	)	

ORDER

On October 18, 2021, this case was established to investigate Rattlesnake Ridge Water District (Rattlesnake Ridge District); its commissioners, Billy Gilbert, Jason Carroll, George Wells, Mike Copley, Randy Steagall, Steve Ison; and its manager, Willis Gilbert, to examine the financial and operational condition of Rattlesnake Ridge District.¹ In the opening Order, the Commission also scheduled a public hearing for January 12, 2022.² Rattlesnake Ridge District responded to the Commission's opening order by entering several exhibits regarding the policies proposed in Case No. 2019-00041.³ On December 9, 2021, the Commission issued an Order denying Rattlesnake Ridge District's motion

¹ Opening Order (Ky. PSC Oct. 21, 2021).

² Opening Order (Ky. PSC Oct. 18, 2021) at 7.

³ Case No. 2019-00041, *Electronic Investigation into Excessive Water Loss by Kentucky's Jurisdictional Water Utilities* (filed Nov. 8, 2021), Response to Commission's Order (Nov. 8, 2021 Response).

filed on November 15, 2021, to postpone the hearing , but granting its motion for leave to meet with Commission Staff informally.⁴ On December 8, 2021, a notice of an Informal Conference was filed for December 10, 2021.⁵ Commission Staff filed the memorandum for the December 10, 2021 informal conference on January 6, 2022.⁶ On January 12, 2022, a hearing was held in this matter. The post-hearing procedural schedule was also issued on January 12, 2022.⁷ On January 27, 2022, Rattlesnake Ridge District filed a motion for enlargement of time to answer Commission Staff's Post-Hearing Request for Information (Staff's Post-Hearing Request).⁸ On February 2, 2022, the Commission granted, in part, and denied, in part, the motion, allowing for a 30-day extension rather than the requested 45-day extension.⁹ On March 8, 2022, Rattlesnake Ridge District filed its response to Staff's Post-Hearing Request.¹⁰

On November 7, 2022, the Commission issued an Order amending the case style and expanding the investigation in order to investigate Rattlesnake Ridge District, its individual commissioners, and its manager, David Gifford, for allegedly failing to comply with KRS 278.300 by issuing evidence of indebtedness without prior Commission approval.¹¹ The Commission also found that this investigation should be continued to

⁴ Motion for Informal Conference (filed Nov. 15, 2021); Order (Ky. PSC Dec. 9, 2021).

⁵ Notice of Informal Conference (filed Dec. 8, 2021).

⁶ PSC Letter Filing Informal Conference Memo (filed Jan. 6, 2022).

⁷ Order (Ky. PSC Jan. 12, 2022).

⁸ Motion for Enlargement of Time (filed Jan. 27, 2022).

⁹ Order (Ky. PSC Jan. 2, 2022).

¹⁰ Rattlesnake Ridge District's Response to Staff's Post-Hearing Request (filed Mar. 8, 2022).

¹¹ Order (Ky. PSC Nov. 7, 2022).

confirm if a vacancy(ies) has existed for more than 90 days on the Rattlesnake Ridge District's Board of Commissioners (Board) and, if so, to identify qualified candidates for appointment to those positions, and fill the position.¹² The Commission ordered Rattlesnake Ridge District to file an application for a general rate adjustment pursuant to 807 KAR 5:001, Section 16, or an application for an alternative rate adjustment pursuant to 807 KAR 5:076 within six months of service of this Order.¹³

On December 13, 2022, Rattlesnake Ridge District filed a motion for an enlargement of time to file its response to the Order dated November 7, 2022 and the data request issued on November 14, 2022.¹⁴ On December 16, 2022, the Commission denied this motion.¹⁵ On January 5, 2023, Rattlesnake Ridge District responded to this request for information.¹⁶ On February 14, 2023, Rattlesnake Ridge District responded to Commission Staff's Fourth Request for Information (Staff's Fourth Request).¹⁷ On March 31, 2023, Rattlesnake Ridge District filed a motion for an extension of time related to filing an alternative rate application pursuant to 807 KAR 5:076 or a general rate application pursuant to 807 KAR 5:001, Section 16.¹⁸ On April 10, 2023 and April 19, 2023, Rattlesnake Ridge District filed its responses to Commission Staff's Fifth Request

¹² Order (Ky. PSC Nov. 7, 2022) at 4.

¹³ Order (Ky. PSC Nov. 7, 2022) at 6, ordering paragraph 1.

¹⁴ Motion for Enlargement of Time (filed Dec. 13, 2022).

¹⁵ Order (Ky. PSC Dec. 16, 2022).

¹⁶ Rattlesnake Ridge District's Response to Commission Staff's Third Request for Information (Staff's Third Request) (filed Jan. 5, 2023). Note that Staff's Third Request mistakes the number of previous data requests and should have been labeled the second. For lack of confusion, this document will continue to be labeled as Staff's Third Request.

¹⁷ Rattlesnake Ridge District's Response to Staff's Fourth Request (filed Feb. 13, 2023).

¹⁸ Updated Response and Request for Extension of time (filed Mar. 31, 2023).

for Information (Staff's Fifth Request).¹⁹ On April 21, 2023, the Commission granted Rattlesnake Ridge District's March 31, 2023 motion and ordered that Rattlesnake Ridge District file an alternative rate application pursuant to 807 KAR 5:076 or a general rate application pursuant to 807 KAR 5:001, Section 16, by July 31, 2023.²⁰

On June 27, 2023, Rattlesnake Ridge District filed its response to Commission Staff's Sixth Request for Information (Staff's Sixth Request).²¹ On July 28, 2023, Rattlesnake Ridge District filed a second motion requesting an extension of time to file a rate adjustment.²² On August 4, 2023, the Commission denied this motion.²³

On September 15, 2023, the Commission issued an Order finding three vacancies on Rattlesnake Ridge District's Board.²⁴ The Commission found that Jason Carroll and Steve Ison were duly appointed, but that the seats formally held by William Gilbert, Randy Steagall, and Mike Copley were vacant.²⁵ The Commission laid out instructions for newspaper publication regarding the vacancies and for applicants to apply.²⁶ On November 13, 2023, the Commission appointed Mike Copley to fill the vacant seat for a

¹⁹ Rattlesnake Ridge District's Partial Answer to Commission Staff's Fifth Request (filed Apr. 10, 2023); Rattlesnake Ridge District's Response to Staff's Fifth Request (filed Apr. 19, 2023).

²⁰ Order (Ky. PSC Apr. 21, 2023).

²¹ Rattlesnake Ridge District's Response to Staff's Sixth Request (filed June 27, 2023).

²² Rattlesnake Ridge District's Motion to Extend time to File Application for Rate Adjustment (filed July 28, 2023).

²³ Order (Ky. PSC Aug. 4, 2023).

²⁴ Order (Ky. PSC Sept. 5, 2023) at 4.

²⁵ Order (Ky. PSC Sept. 5, 2023) at 4-5.

²⁶ Order (Ky. PSC Sept. 5, 2023) at 6.

term expiring on November 15, 2027.²⁷ The Commission appointed Stephen Rogers and Randy Steagall to fill the vacant seats with terms to expire on April 10, 2028.²⁸

On October 18, 2023, Rattlesnake Ridge District responded to Commission Staff's Seventh Request for Information (Staff's Seventh Request).²⁹ On May 21, 2024, Rattlesnake Ridge District filed a motion requesting additional time for Commission Staff's Eighth Request for Information (Staff's Eighth Request) issued on May 17, 2024.³⁰ On June 13, 2024, the Commission granted Rattlesnake Ridge District's request.³¹ On June 26, 2024, Rattlesnake Ridge District filed its response to Staff's Eighth Request.³² On July 16, 2024, Rattlesnake Ridge District responded to Commission Staff's Ninth Request for Information (Staff's Ninth Request).³³ On August 29, 2024, Rattlesnake Ridge District responded to Commission Staff's Tenth Request for Information (Staff's Tenth Request).³⁴

On February 6, 2026, Commission Staff filed a notice of an informal conference.³⁵ On February 9, 2026, Rattlesnake Ridge District filed notice of substitution of manager

²⁷ Order (Ky. PSC Nov. 13, 2023).

²⁸ Order (Ky. PSC Apr. 9, 2024).

²⁹ Rattlesnake Ridge District's Response to Staff's Seventh Request (filed Oct. 18, 2023).

³⁰ Motion for Additional Time (filed May 21, 2024).

³¹ Order (Ky. PSC June 13, 2024).

³² Rattlesnake Ridge District's Response to Staff's Eighth Request (filed June 26, 2024).

³³ Rattlesnake Ridge District's Response to Staff's Ninth Request (filed July 26, 2024).

³⁴ Rattlesnake Ridge District's Response to Staff's Tenth Request (filed Aug. 29, 2024).

³⁵ Notice of Informal Conference (filed Feb. 6, 2026).

and notice of substitution of counsel.³⁶ Rattlesnake Ridge District stated that David Gifford retired from Rattlesnake Ridge District on January 31, 2026, and as of February 1, 2026, Rebecca Kitchen would serve as Water Utility Manager.³⁷ On February 10, 2026, an informal conference was held, and the informal conference memorandum and attendance list was filed into the record on February 16, 2026.³⁸ On May 8, 2026, Staff filed a notice of informal conference, which was held on May 16, 2026.³⁹ On May 29, 2026, the informal conference memorandum and attendance list were filed into the record.⁴⁰ On June 1, 2026, Rattlesnake Ridge District filed a response to the informal conference memorandum to provide that its manager would be able to attend water commissioner training.⁴¹ This matter now stands submitted for decision.

LEGAL STANDARD

Under KRS 278.250 and KRS 278.260, the Commission is authorized to investigate and examine the condition of any utility subject to its jurisdiction, including any practice or act relating to the utility service. Under KRS 278.280, if the Commission finds that any practice or act is unjust, unreasonable, unsafe, improper, inadequate, or insufficient, then the Commission has the authority to determine the just, reasonable, safe, proper, adequate, or sufficient practice or method to be observed. Upon a finding

³⁶ Notice of Substitution of Manager (filed Feb. 9, 2026); Notice of Substitution of Counsel (filed Feb. 9, 2026).

³⁷ Notice of Substitution of Manager.

³⁸ Informal Conference Memorandum and Attendance List (filed Feb. 16, 2026).

³⁹ Notice of Informal Conference (filed May 8, 2026).

⁴⁰ Informal Conference Memorandum and Attendance List (filed May 29, 2026).

⁴¹ Response to Informal Conference Memorandum (filed June 1, 2026).

that Rattlesnake Ridge District, its commissioners, or manager violated any provision of KRS Chapter 278, Commission regulations, or a Commission Order, KRS 278.990 authorizes the Commission to assess civil penalties not to exceed \$2,500 for each offense against a utility and against any officer, agent, or employee of a utility who willfully violates any provisions of KRS Chapter 278, Commission regulations, or Orders.

DISCUSSION AND FINDINGS

As an initial issue, the Commission finds that former commissioners, William Gilbert, George Wells, and its former managers, Willis Gilbert and David Gifford, should be dismissed as parties in this matter. In the Commission's September 15, 2023 Order, the Commission found a vacancy related to William Gilbert's seat.⁴² George Wells' term expired on February 8, 2020.⁴³ On January 26, 2022, Rattlesnake Ridge District reported that it had a new manager David Gifford, to replace Willis Gilbert.⁴⁴ On January 31, 2026, David Gifford retired from Rattlesnake Ridge District.⁴⁵

As further discussed below, the Commission has not found any willful violations for any provisions of KRS Chapter 278, Commission regulations, or Orders at this time. However, the Commission does expect Rattlesnake Ridge District to comply with the filing requirements further discussed below. This Order shall not be construed to limit further Commission review or Orders, including the assessment of fines related to any alleged violations.

⁴² Order (Ky. PSC Sept. 15, 2023) at 4.

⁴³ Order (Ky. PSC Sept. 15, 2023) at 3.

⁴⁴ Motion for Enlargement of Time (filed Jan. 27, 2022).

⁴⁵ Notice of Substitution of Manager (filed Feb. 9, 2026).

Compliance with Case No. 2019-00041

On March 12, 2019, Case No. 2019-00041 was opened to investigate into excessive water loss by Kentucky's jurisdictional water utilities.⁴⁶ Rattlesnake Ridge District was included as one of the utilities in this case.⁴⁷ In the Commission's November 22, 2019 Order in that case, the Commission ordered each water utility that was a party to the proceeding to develop and file with the Commission within six months of the Order new policies and procedures to address water loss and business practices, including but not limited to, a water loss reduction plan, a leak detection plan, and improved employee policies and procedures.⁴⁸ In addition, the Commission specifically ordered Rattlesnake Ridge District to file, within six months of the Order, the following:⁴⁹

- A new tariff sheet that revises its leak adjustment policy;
- Its 2018 audit and annual report;
- The results of the tests of all of its meters that are ten years or older;
- A meter testing schedule;
- Documentation of fire department water usage;
- A standard written procedure to ensure that line break repairs caused during excavation are charged to the appropriate entity;
- A written policies and procedures manual;
- A written safety training schedule;
- A new tariff sheet that sets forth a written policy regarding theft of water service; and

⁴⁶ Case No. 2019-00041, Mar. 12, 2019 Order.

⁴⁷ Case No. 2019-00041, Mar. 12, 2019 Order, Appendix A.

⁴⁸ Case No. 2019-00041, Nov. 22, 2019 Order at 8.

⁴⁹ Case No. 2019-00041, Nov. 22, 2019 Order, Appendix I.

- The results of a comprehensive water audit.

In the opening Order in the present case, the Commission acknowledged “Rattlesnake Ridge District’s efforts to comply with the Commission’s November 22, 2019 Order; however, there is no evidence that those policies have been implemented.”⁵⁰

Rattlesnake Ridge District filed its revised leak adjustment policy with a tariff date effective February 1, 2022.⁵¹ Rattlesnake Ridge District’s 2018 Audit and Annual Reports were filed with the Commission on July 25, 2019.⁵² Rattlesnake Ridge District filed its written meter testing schedule on March 8, 2022.⁵³ Rattlesnake Ridge District also replaced meters that were over ten years old.⁵⁴ For fire department usage, Rattlesnake Ridge District stated in the future it will do a better job addressing the fire department tariff.⁵⁵ Rattlesnake Ridge District stated that it sends the tariff documentation requests to each fire department in the area that use or may use the District’s facilities and water and that the fire departments do not respond or provide a run sheet.⁵⁶ Rattlesnake Ridge District provided its written policies related to line breaks and excavator damage on June

⁵⁰ Opening Order (Ky. PSC Oct 18, 2021).

⁵¹ P.S.C Ky. No. 1, 1st Revised Sheet No. 15 (effective Feb. 1, 2022).

⁵² *Annual Report of Rattlesnake Ridge District to the Public Service Commission for the Calendar Year Ended December 31, 2018* (2018 Water Annual Report); *Audit Report of Rattlesnake Ridge District to the Public Service Commission for the Calendar Year Ended December 31, 2018* (2018 Audit Report).

⁵³ Rattlesnake Ridge District’s Response to Staff’s Post-Hearing Request, Item 6a, Meter Testing Schedule.

⁵⁴ Nov. 8, 2021 Response.

⁵⁵ Nov. 8, 2021 Response.

⁵⁶ Nov. 8, 2021 Response.

26, 2020.⁵⁷ Rattlesnake Ridge District filed its written policies and procedures related to office and financial and internal controls and its written safety training schedule on March 8, 2022.⁵⁸ On June 26, 2020, Rattlesnake Ridge District stated that it does an annual water audit.⁵⁹ Rattlesnake Ridge District has not updated its tariff regarding theft of water service and has yet to provide documentation that it conducts safety training at regular intervals.

Having considered the record and being otherwise sufficiently advised, the Commission finds that, within 30 days of this Order, Rattlesnake Ridge District should update its tariff to include the following language to address theft:

Refusal or Termination of Service Without Advance Notice.

The utility may refuse or terminate service to a customer if the following conditions exist without an advance termination notice. Within 24 hours after termination, the utility shall send written notification to the customer stating the reason(s) for termination and providing notice to the customer's right to challenge the termination by filing a complaint with the Public Service Commission. Termination of service is in addition to any legal remedies the utility may pursue, and the utility is not required to restore service until the customer has complied with the utility's tariff and the laws and regulations of the Public Service Commission.

1. For dangerous conditions relating to the utility's service.
2. Unauthorized service by illegal use or theft.
3. Extensions or additions of an existing service connection that have not been approved by the utility.

⁵⁷ Case No. 2019-00041, (filed June 26, 2020), Rattlesnake Ridge District's Supplemental Response to the Commission's November 22, 2019 Order.

⁵⁸ Rattlesnake Ridge District's Response to Staff's Post-Hearing Request, Item 3, Written Policies and Procedures.

⁵⁹ Case No. 2019-00041, June 26, 2020 Rattlesnake Ridge District's Supplemental Response to the Commission's November 22, 2019 Order.

4. Misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water.
5. Resale of water except under the terms of a special contract executed by the utility and approved by the Public Service Commission.
6. Waste or misuse of water due to improper, imperfect, or deteriorated service pipes.
7. Tampering with the meter, meter seal, valves or other system facilities or permitting any tampering by others.
8. Connections, cross-connections or permitting the same, of any separate water supply to premises that receive water from the utility.

The Commission further finds that Rattlesnake Ridge District should file safety training documentation with 90 days of issuance of this Order into the case record of this case.

ARF Filing

In the Commission's November 11, 2022 Order, the Commission found that Rattlesnake Ridge District should file an alternative rate adjustment, pursuant to 807 KAR 5:076 or general rate case, pursuant to KRS 278.180 and 807 KAR 5:001, Section 16 within six months of the date of service of that Order.⁶⁰ Following several requests for extensions, Rattlesnake Ridge District filed its notice of intent to file an ARF on October 6, 2023.⁶¹ The application was deemed filed on November 30, 2023.⁶² A final Order was entered in that case on July 12, 2024.⁶³

⁶⁰ Order (Ky. PSC Nov. 11, 2022).

⁶¹ Case No. 2023-00338, *Electronic Application of Rattlesnake Ridge Water District For A Rate Adjustment Pursuant To 807 KAR 5:076* (filed Oct. 5, 2023), Notice of Intent.

⁶² Case No. 2023-00338, Dec. 6, 2023 Deficiency Cured Letter.

⁶³ Case No. 2023-00338, (Ky. PSC July 12, 2024), Order.

Having considered the record and being otherwise sufficiently advised, the Commission does not find that a willful violation occurred, as the Commission recognizes that the preparing for an alternative rate adjustment also relies upon outside consultants. However, the Commission does note the late filing of its alternative rate adjustment.⁶⁴ The Commission cautions Rattlesnake Ridge District that it is ultimately the district's responsibility to ensure that cases are timely filed and requests for extensions sought, as appropriate.

Water Loss Issues

Rattlesnake Ridge District has had significant issues with unaccounted for water loss. In the Commission's July 30, 2021 Order in Case No. 2019-00041, Rattlesnake Ridge District's water loss was reported to be a problem with a range of 50 to 65 percent.⁶⁵ In its 2024 Annual Report, Rattlesnake Ridge District reported water loss of 33.6848 percent.⁶⁶

In its November 8, 2021 response, Rattlesnake Ridge District stated that it had hired two employees for leak detection; purchased a flow meter, and purchased a listening device.⁶⁷ To address water loss, the Commission implemented a monthly water loss reduction surcharge of \$5.84 per customer.⁶⁸ The Commission opened the water

⁶⁴ On Aug. 4, 2023, the Commission denied Rattlesnake Ridge District's motion to extend its filing and was not deemed filed until Nov. 30, 2023.

⁶⁵ Case No. 2019-00041, July 30, 2021 Order at 18.

⁶⁶ *Annual Report of Rattlesnake Ridge District to the Public Service Commission for the Calendar Year Ended December 31, 2024* (2020 Water Annual Report) at 57.

⁶⁷ Nov. 8, 2021 Response.

⁶⁸ Case No. 2023-00338, July 12, 2024 Order at 2.

loss monitoring case on July 12, 2024.⁶⁹ On July 21, 2025, Rattlesnake Ridge District filed its Qualified Infrastructure Improvement Plan (QIIP) into the record.⁷⁰

According to Rattlesnake Ridge District, it entered into an agreement in April 2020 with Bluegrass Engineering, PLLC for its “Phase 12 Water Improvement Project.”⁷¹ This project “consisted of replacing approximately 4,030 water meters with new radio read meters, installation of 9 zone meters, replacement of approximately 700 service lines from main to meter, and the replacement of approximately 15,000 L.F. of 2”, 3”, and 4” water mains.”⁷² Rattlesnake Ridge District reported that these items were one of the reasons for its significant reduction in water loss.⁷³ As part of the Phase 12 Improvements Project, Rattlesnake Ridge District installed 9 zone meters at the introductory point of each pressure zone.⁷⁴ Rattlesnake Ridge District also provided a plan for further reduction of water loss that included water main replacement, pressure reducing stations, water valve insertion, zone meters, leak detection equipment, and a water meter testing bench.⁷⁵

On April 10, 2026, Rattlesnake Ridge District filed a motion in Case No. 2024-00176 for approval to expend \$50,000 of surcharge funds for the purchase of a water

⁶⁹ Case No. 2024-00176, *Electronic Rattlesnake Ridge Water District Unaccounted for Water Loss Reduction Plan, Surcharge and Monitoring* (Ky. PSC July 12, 2024), Order.

⁷⁰ Case No. 2024-00176, (filed July 21, 2025), QIIP.

⁷¹ Case No. 2024-00176, QIIP.

⁷² Case No. 2024-00176, QIIP.

⁷³ Case No. 2024-00176, QIIP.

⁷⁴ Case No. 2024-00176, QIIP.

⁷⁵ Case No. 2024-00176, QIIP.

metering testing bench.⁷⁶ Rattlesnake Ridge District has not requested further use of the funds which now total approximately \$522,923.37.⁷⁷ As of July 2026, the six-month average was 26.82 percent, and the monthly average at 24.97 percent.⁷⁸

Having considered the record and being otherwise sufficiently advised, the Commission finds that, at this time, no willful violation has occurred. Rattlesnake Ridge District has made significant efforts to improve its water loss since the opening of this investigation. The Commission commends Rattlesnake Ridge District for its efforts at decreasing their water loss by nearly 40 percent since the completion of the 2019 case, but there is still work to be done to improve Rattlesnake Ridge District's water loss. The Commission encourages Rattlesnake Ridge District to prioritize projects that will reduce its water loss and to request utilization of surcharge funds as appropriate.

Inspection Concerns

In the opening Order for this case, the Commission discussed that a department of inspections (DOI) inspection performed August 17, 2021 noted two deficiencies.⁷⁹ One of these deficiencies noted Rattlesnake Ridge District's failure to operate its facilities to provide adequate and safe service to its customers as required in 807 KAR 5:066,

⁷⁶ Case No. 2024-00176, Motion with Notice of Request for Use of Surcharge Funds (filed April 10, 2026). The request was denied by Order issued Aug. 27, 2026 with leave to re-file if additional information arises about the necessity of the meter testing bench.

⁷⁷ Case No. 2024-00176, (filed Aug. 12, 2026), Surcharge and Water Loss Reporting for Aug. 2026.

⁷⁸ July Monthly Surcharge Report (filed July 8, 2026); June Monthly Surcharge Report (filed June 10, 2026); May Monthly Surcharge Report (filed May 14, 2026); April Monthly Surcharge Report (filed April 13, 2026); March Monthly Surcharge Report (filed March 10, 2026); February Monthly Surcharge Report (filed Feb. 6, 2026).

⁷⁹ Order (Ky. PSC Oct. 18, 2021) at 4.

Section 7, due to water loss exceeding 15 percent.⁸⁰ In response to the Opening Order, Rattlesnake Ridge District stated that it:

had a meter testing schedule prior to 2020. Because the old meters are slow, and considering the expense the District would incur for materials and repair, Rattlesnake Ridge stopped testing meters because the District is in the process of replacing all of those meters following a grant we received.⁸¹

Rattlesnake Ridge District stated that all meter test results will be filed and a copy sent to the Commission on a quarterly meter report.

Rattlesnake Ridge District stated that it replaced approximately 4,030 water meters with new radio read meters.⁸² Beyond the water loss issues noted above, there were no deficiencies found in Rattlesnake Ridge District's 2025 or 2026 DOI inspections. Having considered the record and being otherwise advised, the Commission finds that at this time no willful violation has occurred. Rattlesnake Ridge District has addressed the issues related to water meters and continues to address issues related to water loss.

Annual Reports

Rattlesnake Ridge District originally had errors in its 2024 Annual Report related to a discrepancy between the Gross Operating Revenues provided to filings and the Annual Report. Rattlesnake Ridge District has since fixed this error. Rattlesnake Ridge District has not filed its 2025 Annual Report at this time, despite having an extension until May 29, 2026.

⁸⁰ Opening Order (Ky. PSC Oct. 18, 2021) at 4.

⁸¹ Nov. 8, 2021 Response at unnumbered page 1.

⁸² Rattlesnake Ridge District's Response to Staff's Eighth Request, Item 12.

Having considered the record and being otherwise sufficiently advised, the Commission finds that Rattlesnake Ridge District should file its Annual Report for 2025 within 60 days of issuance of this Order. The Commission cautions Rattlesnake Ridge District that it is its responsibility to timely file its Annual Reports and that if an extension is needed, Rattlesnake Ridge District should file in advance of the March 31 filing deadlines.

IT IS THEREFORE ORDERED that:

1. The Commission finds no willful violations of regulations, statutes, or Orders of the Commission.
2. William Gilbert, George Wells, Willis Gilbert, and David Gifford are dismissed as parties from this matter.
3. Within 30 days of the date of this Order, Rattlesnake Ridge District shall file with the Commission, using the Commission's electronic Tariff Filing System, a new tariff sheet setting forth its theft of water policy as required herein and reflecting its effective date and that it was authorized by this Order.
4. Rattlesnake Ridge District shall file safety training documentation with 90 days of issuance of this Order into the case record of this case.
5. Rattlesnake Ridge District shall file its Annual Report for 2025 within 60 days of issuance of this Order in both the case record of this case and through the e-filing filing system.
6. This Order shall not be construed to limit further Commission review or Orders, including the assessment of fines related to any alleged violations.

Entered on this 1st day of September, 2026.

PUBLIC SERVICE COMMISSION



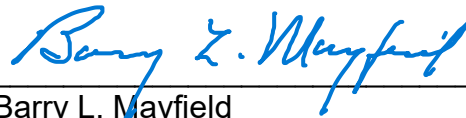
Angie Hatton
Chair



Mary Pat Regan
Vice Chair



Andrew W. Wood
Commissioner



Barry L. Mayfield
Commissioner

ATTEST:


Justin McNeil
Executive Director

Service List for Case 2021-00340

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Elliott County Local Government
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