

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KNOTT COUNTY	)	
WATER & SEWER DISTRICT; PHILLIP DION	)	
SLONE; DON GIBSON; FREDDIE WILLIAMS; RICKY	)	
MCDANIEL; AND JEREMY GOODSON, BEING ALL	)	CASE NO.
OF THE BOARD OF COMMISSIONERS OF THE	)	2022-00029
KNOTT COUNTY WATER DISTRICT FOR AN	)	
EXTENSION OF TIME TO COMPLETE REQUIRED	)	
WATER DISTRICT MANAGEMENT TRAINING FOR	)	
THE 2021 CALENDAR YEAR	)	

ORDER

This matter is before the Commission upon an application filed by the Knott County Water & Sewer District (Knott District) on January 26, 2022, for a deviation and extension of time for commissioner training for good cause pursuant to KRS 74.020(9). The application states that Knott District's commissioners were paid \$2,400 in addition to their base salary even though the commissioners did not receive six hours of Commission-approved training in 2021 pursuant to KRS 74.020(6).

LEGAL STANDARD

Water district commissioners can receive an annual salary of \$3,600, and each commissioner who completes a minimum of six instructional hours of training approved by the Commission may receive an annual salary of not more than \$6,000 pursuant to KRS 74.020(6). The Commission can grant a reasonable extension of time not to exceed six months for good cause shown pursuant to KRS 74.020(9).

## DISCUSSION

In support of its application, Knott District stated that the commissioners did not consciously avoid training, but rather relied on Knott District's CFO, Kyle Smith, to be told when and where each year's training would take place. Mr. Smith filed an affidavit stating that he overlooked the training deadlines due to other duties and did not realize that the December 8–9, 2021 training offered by the Commission was the last opportunity available for the Commissioners to complete their required six hours of training for 2021. Knott District argues this oversight is good cause for the Commission to grant an extension for its commissioners to obtain the required training, pursuant to KRS 74.020(9).

KRS 74.020 requires commissioners to receive six hours of training annually to receive an additional \$2,400 to their annual salary totaling not more than \$6,000. KRS 74.020(9), which provides the Commission the ability to grant an extension for "good cause" was only recently effective as of March 2021 to address hardships like commissioners who were ill and in dire circumstances, as have come before the Commission in the past.<sup>1</sup> Knott District's argument is that management simply overlooked the deadline, and the Commission finds that does not rise to the level of "good cause" required by KRS 74.020(9) in order to grant an extension. Therefore, the Commission denies the application of Knott District for an extension and deviation. Further, the commissioners who failed to complete their training by December 31, 2021, shall be

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<sup>1</sup> See Case No. 2019-00054, *Application of Kara Wilson, Commissioner of Jonathan Creek Water District, for Extension of Time to Complete Water District Management Training Due to Hardship* (Ky PSC Aug. 2, 2019).

required to pay back the additional \$2,400 received in violation of KRS 74.020(6) to the utility.

IT IS THEREFORE ORDERED as follows:

1. Knott District's application is denied.
2. Knott District's commissioners who were paid \$2,400 in violation of KRS 74.020(6) shall pay back the \$2,400 to Knott District.
3. This case is closed and removed from the Commission's docket.

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PUBLIC SERVICE COMMISSION



Chairman



Vice Chairman

\_\_\_\_\_  
Commissioner

ENTERED  
APR 13 2022 rcs  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:



Executive Director

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