

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC ALLEGED FAILURE OF)	
FARMDALE WATER DISTRICT, AND ITS)	
INDIVIDUAL COMMISSIONERS RICHARD)	
TANNER, DONALD MORSE, AND SCOTTIE)	CASE NO.
WOOLRIDGE, AND MANAGER JAMIE ROBERTS)	2022-00347
TO COMPLY WITH KRS 278.030, 807 KAR 5:006,)	
SECTION 4(4), 807 KAR 5:006, SECTION 26 AND)	
807 KRS 5:066)	

ORDER

The Commission, on its own motion, initiates this proceeding to investigate the alleged failure of Farmdale Water District (Farmdale District) and its commissioners and manager to comply with statutes and regulations enforced by the Commission.

KRS 278.030(2) requires that a utility provide adequate, efficient and reasonable service to customers. KRS 278.250 provides the Commission with statutory authority to investigate the condition of a utility. Similarly, KRS 278.260 provides the Commission with jurisdiction to investigate a utility's rates and any practice relating to the service of a utility on the Commission's own motion.

Farmdale Water District (Farmdale District) is a water district created and organized under KRS Chapter 74 and pursuant to KRS 278.040(2), is subject to Commission jurisdiction. Richard Tanner, Donald Morse, and Scottie Woolridge were

Farmdale District commissioners and Jamie Roberts is its water manager.¹ As officers, agents, or employees of a utility, these individuals are subject to civil penalties as permitted by KRS 278.990(1).

On June 10, 2022, the Commission's Department of Inspections (DOI), conducted a periodic inspection. DOI found the following deficiencies during its inspection:²

- Farmdale District failed to operate its facilities so as to provide adequate and safe service to its customers as required by 807 KAR 5:066, Section 7, due to water loss exceeding 15 percent.
- Farmdale Water District failed to submit Quarterly Meter Reports as required by 807 KAR 5:006, Section 4(4).
- Farmdale District failed to maintain annual written inspection records as required by 807 KAR 5:006, Section 26(6)(a)-(c).
- Farmdale District failed to maintain pressure charts that showed a continuous 24-hour pressure recording for one week per month as required by 807 KAR 5:066, Section 5(2).
- Farmdale District failed to maintain records of interruptions, including the time, duration, remedy and steps taken to prevent recurrence as required by 807 KAR 5:066, Section 4(5).
- Farmdale District failed to test meters one inch and smaller that had been in service for ten years as required by 807 KAR 5:066, Section 16(1).
- Farmdale District failed to instruct their employees who in the course of their work, are subject to the hazard of electrical shock, asphyxiation, or drowning, in accepted methods of artificial respiration as required by 807 KAR 5:066, Section 25(3).
- Farmdale District has not adopted and executed a safety program appropriate to the size and type of its operations as required by 807 KAR 5:066, Section 25.

¹ *Annual Report of Farmdale Water District to the Public Service Commission for the Year Ending December 31, 2021* (2021 Annual Report) at 14-15. Richard Tanner and Donald Morse are former commissioners Franklin County Fiscal Court "Boards and Commissions" List, <https://franklincounty.ky.gov/wp-content/uploads/2022/09/Board-List-9-23-2022.pdf> (Last accessed Oct. 19, 2022). Jon Dailey was subsequently appointed to fill a vacancy on May 1, 2022 and Eddie Harrod was appointed on September 23, 2022.

² Inspection Report attached as Appendix B.

DOI requested that Farmdale District respond to these deficiencies by August 4, 2022. Farmdale District emailed a set of responses to DOI on September 28, 2022.³ Farmdale District supplied an additional set of responses on October 11, 2022.⁴ Neither of these sets of responses denied the alleged deficiencies.

Farmdale District also failed to timely file the following:

- 2022 annual report as required by 807 KAR 5:006, Section 4.
- A qualified infrastructure improvement program (QIIP) plan, including an unaccounted-for water loss reduction plan, and progress reports, all required by Commission order.⁵
- A written notification that Farmdale District had two commissioner vacancies due to the departure of Richard Tanner and Donald Morse.⁶
- A written notification that Jon Dailey was appointed commissioner on May 1, 2022.⁷
- A written notification that its chairman, Clifford Toles, passed away on August 20, 2022.⁸
- A written notification that a commissioner vacancy was filled by Eddie Harrod on September 23, 2022.⁹

³ Responses attached as Appendix C.

⁴ Responses attached as Appendix D.

⁵ Case No. 2020-00217, *Electronic Farmdale Water District's Unaccounted-For Water Loss Reduction Plan, Surcharge and Monitoring* (Ky. PSC July 7, 2020), Order at 3-4, requiring filing of the QIIP within 120 days of the date of the Order and annual progress reports. Farmdale District has requested an extension to file its QIIP that the Commission has not ruled on yet.

⁶ See KRS 74.020(10)(a), which requires written notification within 30 days of a commission vacancy; Franklin County Fiscal Court "Boards and Commissions" List, <https://franklincounty.ky.gov/wp-content/uploads/2022/09/Board-List-9-23-2022.pdf> (Last accessed Oct. 19, 2022).

⁷ See KRS 74.020(10)(b), which requires written notification within 30 days of a commissioner appointment; Franklin County Fiscal Court "Boards and Commissions" List, <https://franklincounty.ky.gov/wp-content/uploads/2022/09/Board-List-9-23-2022.pdf> (Last accessed Oct. 19, 2022).

⁸ See KRS 74.020(10)(a); Franklin County Fiscal Court "Boards and Commissions" List, <https://franklincounty.ky.gov/wp-content/uploads/2022/09/Board-List-9-23-2022.pdf> (Last accessed Oct. 19, 2022).

⁹ See KRS 74.020(10)(b); Franklin County Fiscal Court "Boards and Commissions" List, <https://franklincounty.ky.gov/wp-content/uploads/2022/09/Board-List-9-23-2022.pdf> (Last accessed Oct. 19, 2022).

The Commission also is concerned with Farmdale District's compliance with 807 KAR 5:006, Section 19(a) regarding testing meters upon customer request.

Based upon its review of the above-referenced Inspection Report and Farmdale District's responses, and being otherwise sufficiently advised, the Commission finds that *prima facie* evidence exists that Farmdale District has failed to comply with KRS 278.030(2), KRS 74.020(1)(a)-(b), the above-referenced provisions of 807 KAR 5:006 and 807 KAR 5:066, and Commission Order.¹⁰ The Commission further finds that a formal investigation into Farmdale District's compliance with all authorities referenced herein should be conducted.

IT IS THEREFORE ORDERED that:

1. This case is opened to investigate the alleged failure to Farmdale District to comply with KRS 278.030, 807 KAR 5:006, Section 4(4), 807 KAR 5:006, Section 26 and 807 KRS 5:066
2. Farmdale District, Richard Tanner, Donald Morse, Scottie Woolridge, and Jamie Roberts shall submit to the Commission a written response to the allegations contained in this Order within 20 days of the date of service of this Order.
3. The procedural schedule set forth in Appendix A to this Order shall be followed. This schedule will be amended if intervenors join the proceeding.
4. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. The Commission directs the parties to the

¹⁰ Case No. 2020-00217, (Ky. PSC July 7, 2020), Order at 3-4.

Commission's July 22, 2021 Order in Case No. 2020-00085¹¹ regarding filings with the Commission.

5. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding that is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts that the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service consumed by the movant or a general statement regarding a potential impact of possible modification of rates will not be deemed sufficient to establish a special interest. In addition, any motion to intervene filed after the date established in the procedural schedule shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

6. Farmdale District shall give notice of any scheduled hearing in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov"; and "Public comments may be made at the

¹¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listing on the PSC website, psc.ky.gov.” At the time publication is requested, Farmdale District shall forward a duplicate of the notice and request to the Commission.

7. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

8. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

9. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

10. The Commission does not look favorably upon motions to excuse witnesses from testifying at Commission hearings. Accordingly motions to excuse a witness from testifying at a Commission hearing or from testifying in person at a Commission hearing shall be made in writing and will be granted only upon a showing of good cause.


11. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

PUBLIC SERVICE COMMISSION



Chairman

Vice Chairman



Commissioner



ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00347 DATED NOV 07 2022

Last day for intervention requests to be accepted..... 11/17/2022

All initial requests for information to Farmdale District
shall be filed no later than 12/01/2022

Farmdale District shall file responses to initial requests for
information no later than..... 12/15/2022

All supplemental requests for information to Farmdale District
shall be filed no later than 01/03/2023

Farmdale District shall file responses to supplemental requests
for information no later than 01/17/2023

Last day for Parties to request a Public Hearing or submit a
request for the matter be decided based upon the written record 01/24/2023

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00347 DATED NOV 07 2022

SEVENTEEN PAGES TO FOLLOW

Periodic Compliance Inspection

Utility: Farmdale Water District

Utility location: Franklin County

Investigator: Taylor Stamper

Date(s) of inspection: 6/10/2022

Date(s) of last inspection: 3/13/2020

Deficiencies noted during last inspection:

- Utility is failing to operate its facilities so as to provide adequate and safe service to its customers as required by 807 KAR 5:066, Section 7, due to water loss exceeding 15 percent.

Have deficiencies been corrected since last inspection: Yes No N/A

Primary utility representative(s) involved with inspection:

Name: Jamie Roberts__

Title: Operator

Who with the utility should receive the inspection report cover letter from the commission?

Name: Clifford Toles_____

Title: Chairman_

Mailing address: 100 Highwood Dr. Frankfort, KY 40601

Email address: Farmdalewater@gmail.com ____

Phone number: 502-223-3562

Periodic Compliance Inspection

General Questions

Treatment Facility

Source Water: N/A

Plant Capacity: N/A

Avg. Amount Produced: N/A

Distribution Facility

Source Water: Frankfort Plant Board

Area of Operation: Franklin, Anderson, Shelby

Miles of Water Line: 250

Avg. Amount Purchased:

Water sold at wholesale rate to other water systems: N/A

Utility Information

Number of Employees: 6

Number of Office Employees: 2

Number of Certified Water Treatment Employees: 0

Number of Certified Distribution Employees: 1

Number of Certified Meter Testers: 0

Utility Chairperson/President: Clifford Toles

Metering System:

Number of Customers: 2737

Meter Reading:

AMR

AMI

Other

Manual

Type of meter used for customers: i-pearls, SR2

Periodic Compliance Inspection

Contractor(s): Employed by Utility

Citgo-Meter testing

Review Current Emergency Response Plan (ERP):

Has the utility made any revisions to the ERP in the past 24 months?

Yes

No

N/A

When the last year construction was performed?

2012

What did the construction project consist of?

New 12" main

807 KAR 5:006

(General Rules)

Section 4: Reports

Has the utility filed its gross annual operating revenue report?

Yes

No

N/A

Does the utility file Quarterly Meter Reports (QMR) indicating meter tested, number of customers, and amount of refunds?

Yes

No

N/A

Section 7: Billings, Meter Readings, and Information

Does each bill for utility service, issued periodically by a utility, clearly show the following?

The date the bill was issued:

Yes

No

N/A

Class of service:

Yes

No

N/A

Present and last preceding meter readings:

Yes

No

N/A

Date of the present reading:

Yes

No

N/A

Number of units consumed:

Yes

No

N/A

Meter constant, if applicable:

Yes

No

N/A

Net amount for service rendered:

Yes

No

N/A

All taxes:

Yes

No

N/A

Adjustments, if applicable:

Yes

No

N/A

The gross amount of the bill:

Yes

No

N/A

Periodic Compliance Inspection

- The date after which a penalty may apply to the gross amount: Yes No N/A
- If the bill is estimated or calculated: Yes No N/A
- Is the rate schedule under which the bill is computed posted on the utility's Web site (if it maintains a Web site)? Yes No N/A
- Also furnished by one (1) of the following methods, by:
- Printing it on the bill: Yes No N/A
- Publishing it in a newspaper of general circulation once each year: Yes No N/A
- Mailing it to each customer once each year; or: Yes No N/A
- Provide a place on each bill for a customer to indicate the customer's desire for a copy of the applicable rates: Yes No N/A
- Does the utility (except if prevented by reasons beyond its control) read customer meters at least quarterly? Yes No N/A
- Is each customer-read meter read manually, at least once during each calendar year? Yes No N/A
- Does the utility maintain the information required by this subsection, and is it available to the commission and any customer requesting this information? Yes No N/A
- If, due to reasons beyond its control, a utility is unable to read a meter in accordance with this subsection, does the utility record the date and time the attempt was made, if applicable, and the reason the utility was unable to read the meter? Yes No N/A

Section 9: Non-recurring Charges

Is a charge assessed if a customer requests the meter be tested pursuant to Section 19 of this administrative regulation and the tests show the as-found meter accuracy is within the limits established by 807 KAR 5:066, Section 15(2)(a)? Yes No N/A

Section 10: Customer Complaints to the Utility

Upon complaint to a utility by a customer at the utility's office, by telephone or in writing, does the utility make a prompt and complete investigation and advise the customer of the utility's findings?

Yes No N/A

Does the utility keep a record of all written complaints concerning the utility's service?

Yes No N/A

Does the record include the following?

Periodic Compliance Inspection

The customer's name and address: Yes No N/A

The date and nature of the complaint: Yes No N/A

The disposition of the complaint: Yes No N/A

Does the utility maintain these records for two (2) years from the date of resolution of the complaint?
Yes No N/A

If a written complaint or a complaint made in person at the utility's office is not resolved, does the utility provide written notice to the customer of his or her right to file a complaint with the commission?
Yes No N/A

Does the utility provide the customer with the mailing address, Web site address, and telephone number of the commission?
Yes No N/A

If a telephonic complaint is not resolved, does the utility provide at least oral notice to the customer of his or her right to file a complaint with the commission?
Yes No N/A

Section 11: Bill Adjustment

Does the utility monitor a customer's usage at least quarterly? Yes No N/A

Are the utility's procedures designed to draw the utility's attention to unusual deviations in a customer's usage?
Yes No N/A

If a customer's usage is unduly high and the deviation is not otherwise explained, will the utility test the customer's meter?
Yes No N/A

If a utility's procedure for monitoring usage indicates that an investigation of a customer's usage is necessary, does the utility notify the customer in writing?
Yes No N/A

If knowledge of a serious situation requires more expeditious notice, does the utility notify the customer by the most expedient means available?
Yes No N/A

If the meter shows an average meter error greater than two (2) percent fast or slow, does the utility maintain the meter in question at a secure location under the utility's control, for a period of six (6) months from the date the customer is notified of the finding of the investigation and the time frame the meter will be secured by the utility or if the customer has filed a formal complaint?
Yes No N/A

Section 14: Utility Customer Relations

Does the utility post and maintain regular business hours and provide representatives available to assist its customers and to respond to inquiries from the commission regarding customer complaints?
Yes No N/A

Periodic Compliance Inspection

Does the utility designate at least one (1) representative to be available to answer customer questions, resolve disputes, and negotiate partial payment plans at the utility's office?

Yes No N/A

If the utility has annual operating revenues of \$250,000 or more does it make a designated representative available during the utility's established working hours not fewer than seven (7) hours per day, five (5) days per week excluding legal holidays?

Yes No N/A

If the utility has annual operating revenues of less than \$250,000 does it make a designated representative available during the utility's established working hours not fewer than seven (7) hours per day, one (1) days per week?

Yes No N/A

Does the utility provide the following?

Maintain a telephone: Yes No N/A

Publish the telephone number in all service areas: Yes No N/A

Permit all customers to contact the utility's designated representative without charge: Yes No N/A

Does the utility prominently display in each office open to the public for customer service (and shall post on its Web site, if it maintains a Web site) a summary, prepared and provided by the commission, of the customer's rights pursuant to this section and Section 16 of this administrative regulation?

Yes No N/A

Does the utility inspect the condition of its meter and service connections before making service connections to a new customer so that prior or fraudulent use of the facilities shall not be attributed to the new customer?

Yes No N/A

Section 17: Meter Testing

Does the utility maintain meter standards and test facilities, as more specifically established in 807 KAR 5:066?

Yes No N/A

Before being installed for use by a customer, are all meters tested and in good working order (and adjusted as close to the optimum operating tolerance as possible) as more specifically established in 807 KAR 5:066, Section 15(2)(a)-(b)?

Yes No N/A

Does the utility have all or part of its testing of meters performed by another utility or agency?

Yes No N/A

Does the utility or agency doing meter testing for a utility have in its employ meter testers certified by the commission?

Yes No N/A

Does the utility or agency employ apprentices in training for certification as meter testers?

Yes No N/A

Periodic Compliance Inspection

Are all tests performed during this period by an apprentice witnessed by a certified meter tester?

Yes No N/A

Section 18: Meter Test Records

Does the utility maintain a complete record of all meter tests and adjustments and data sufficient to allow checking of test calculations?

Yes No N/A

Do the records include the following?

Information to identify the unit and its location: Yes No N/A

Date of tests: Yes No N/A

Reason for the tests: Yes No N/A

Readings before and after test: Yes No N/A

Statement of "as found" and "as left" accuracies sufficiently complete to permit checking of calculations employed: Yes No N/A

Statement of repairs made, if any: Yes No N/A

Identifying number of the meter: Yes No N/A

Type and capacity of the meter: Yes No N/A

Does the utility maintain a complete record of tests of each meter continuous for at least two (2) periodic test periods and shall in no case be less than two (2) years? Yes No N/A

Does the utility maintain numerically arranged and properly classified records for each meter that it owns, uses, and inventories? Yes No N/A

Do these records include the following?

Identification number: Yes No N/A

Date of purchase: Yes No N/A

Name of manufacturer: Yes No N/A

Serial number: Yes No N/A

Type: Yes No N/A

Name and address of each customer on whose premises the meter has been in service with date of installation and removal: Yes No N/A

Do these records contain condensed information concerning all tests and adjustments including dates and general results of the adjustments? Yes No N/A

Periodic Compliance Inspection

Do these records reflect the date of the last test and indicate the proper date for the next periodic test?

Yes No N/A

Section 19: Request Tests

Does the utility make a test of a meter upon written request of a customer if the request is not made more frequently than once each twelve (12) months?

Yes No N/A

Does the utility afford the customer the opportunity to be present at the requested test?

Yes No N/A

If the tests show the as-found meter accuracy is within the limits allowed by 807 KAR 5:066, Section 15(2)(a), does the utility may make a reasonable charge for the test?

Yes No N/A

Has the utility filed a tariff (commission approved) establishing a meter test charge?

Yes No N/A

Section 20: Access to Property

Do employees of the utility (whose duties require him to enter the customer's premises) wear a distinguishing uniform or other insignia, identifying them as an employee of the utility, and show a badge or other identification that shall identify them as an employee of the utility?

Yes No N/A

Section 23: System Maps and Records

Does the utility have on file at its principal office located within the state and shall file upon request with the commission a map or maps of suitable scale of the general territory it serves or holds itself ready to serve?

Yes No N/A

Is the map or maps available in electronic format as a PDF file or as a digital geographic database?

Yes No N/A

Is following data available on the map or maps?

Operating districts: Yes No N/A

Rate districts Yes No N/A

Communities served: Yes No N/A

Location and size of distribution lines, and service connections: Yes No N/A

Section 24: Location of Records

Are all records required by 807 KAR Chapter 5 kept in the office of the utility and made available to representatives, agents, or staff of the commission upon reasonable notice at all reasonable hours?

Yes No N/A

Periodic Compliance Inspection

Section 25: Safety Program

Has the utility adopted and executed a safety program, appropriate to the size and type of its operations?
Yes No N/A

At a minimum, does the safety program include the following?

A safety manual with written guidelines for safe working practices and procedures to be followed by utility employees: Yes No N/A

Instruct employees in safe methods of performing their work? Yes No N/A

Instruct employees who, in the course of their work, are subject to the hazard of electrical shock, asphyxiation, or drowning, in accepted methods of artificial respiration:

Yes No N/A

Section 26: Inspection of Systems

Has the utility adopted inspection procedures to assure safe and adequate operation of the utility's facilities and compliance with KRS Chapter 278 and 807 KAR Chapter 5?

Yes No N/A

Have these inspection procedures been filed with the commission for review?

Yes No N/A

Upon receipt of a report of a potentially hazardous condition at a utility facility, does the utility inspect all portions of the system that are the subject of the report? Yes No N/A

Are appropriate records kept by a utility to identify the inspection made, the date and time of inspection, the person conducting the inspection, deficiencies found, and action taken to correct the deficiencies?

Yes No N/A

Water utility inspections. Each water utility shall make systematic inspections of its system as established in paragraphs (a) through (c) of 807 KAR 5:006 Section 26(6) to insure that the commission's safety requirements are being met. These inspections shall be made as often as necessary but not less frequently than as established in paragraphs (a) through (c) of 807 KAR 5:006 Section 26(6) for various classes of facilities and types of inspection.

The utility shall annually inspect all structures pertaining to source of supply for their safety and physical and structural integrity.

Does the utility inspect the structures listed below?

Dams Yes No N/A

Intakes Yes No N/A

Periodic Compliance Inspection

Traveling screen	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Does the utility semiannually inspect the structures listed below?

Wells	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Well motors and structures	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Electric power wiring and controls	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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The utility shall annually inspect all structures pertaining to purification for their safety, physical and structural integrity, and for leaks.

Does the utility annually inspect the structures listed below?

Sedimentation basins	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Filters	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Clear Wells	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Chemical feed equipment	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Pumping equipment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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Water storage facilities	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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Hydrants	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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Mains	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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Meters	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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Meter settings	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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Valves	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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Does the utility monthly inspect the equipment listed below for defects, wear, operational hazards, lubrication, and safety features?

Construction equipment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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Vehicles	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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Section 27: Reporting of Accidents, Property Damage, or Loss of Service

Within two (2) hours following discovery does the utility notify the commission by telephone or electronic mail of a utility related accident that results in the following:

Death or shock or burn requiring medical treatment at a hospital or similar medical facility, or any accident requiring inpatient overnight hospitalization:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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Periodic Compliance Inspection

Actual or potential property damage of \$25,000 or more: Yes No N/A

Loss of service for four (4) or more hours to ten (10) percent or 500 or more of the utility's customers, whichever is less: Yes No N/A

Are summary written reports submitted by the utility to the commission within seven (7) calendar days of the utility related accident? Yes No N/A

Section 28: Deviations from Administrative Regulation:

Has the utility been permitted by the commission to deviate from these administrative regulations? Yes No N/A

807 KAR 5:011 (Tariffs)

Section 12: Posting tariffs, Administrative Regulations, and Statutes

Does the utility display a suitable placard, in large type, that states that the utility's tariff and statutes are available for public inspection? Yes No N/A

Does the utility provide a suitable table or desk in its office or place of business on which the public may view all effective tariffs? Yes No N/A

Section 13: Special Contracts

Does the utility have any special contracts that establish rates, charges, or conditions of service not contained in its tariff? Yes No N/A

If yes has the utility filed, the special contracts with the PSC? Yes No N/A

807 KAR 5:066 (Water)

Section 2: Information Available to Customers:

Does the utility provide the information listed below to any customer upon request?

A description in writing of chemical constitutes and bacteriological standards of the treated water as required by the Division of Water Yes No N/A

Schedule of rates for water service Yes No N/A

Method of reading meters Yes No N/A

Past readings of a customer's meter for a period of two (2) years

Periodic Compliance Inspection

Yes No N/A

Section 3: Quality of Water

Is the utility in compliance with the Division of Water?

Yes No N/A

Section 4: Continuity of Service

Does the utility immediately notify the fire chief if an emergency interruption of service affects service to any public fire protection device?

Yes No N/A

If the utility schedules an interruption of service are all customers notified that are affected by the interruption?

Yes No N/A

Does the utility have standby pumps capable of providing the maximum daily pumping demand?

Yes No N/A

Does the utility's minimum storage capacity equal the average daily consumption?

Yes No N/A

Does the utility keep a record of all interruption?

Yes No N/A

Does the record contain the information listed below?

Cause of interruption

Yes No N/A

Date

Yes No N/A

Time

Yes No N/A

Duration

Yes No N/A

Remedy and steps taken to prevent recurrence

Yes No N/A

Section 5: Pressure

Does the customer's service pipe under normal conditions fall below thirty (30) psig or static pressure exceed 150 psig?

Yes No N/A

Does the utility have one (1) or more recording pressure gauges to make pressure surveys?

Yes No N/A

Periodic Compliance Inspection

Is the utility maintaining one (1) or more of these recording pressure gauges at some representative point on the utility's mains at a minimum of one (1) week per month in continuous service?

Yes No N/A

Is the utility, at least once annually, making a survey of pressures in its distribution system?

Yes No N/A

Section 6: Water Supply Measurement

Has the utility installed a measuring device at each source of supply?

Yes No N/A

Section 7: Standards of Construction

Is the utility failing to operate its facilities so as to provide adequate and safe service to its customers due to water loss exceeding 15 percent?

Yes No N/A

Section 8: Distribution Mains

Are dead ends provided with a hydrant, flushing hydrant, or blowoff for flushing purpose?

Yes No N/A

Section 9: Service Lines

Does the utility inspect the customer's service line?

Yes No N/A

Does the utility substitute its inspection for the proof of an inspection done by the appropriate state or local plumbing inspector?

Yes No N/A

Section 13: Measurement of Service

Does the utility meter all water sold?

Yes No N/A

Does the utility have any flat water rates?

Yes No N/A

Has the utility adopted a standard method of installing meters and service lines?

Yes No N/A

Section 15: Accuracy requirement of Water Meters

Are all new meters, and any meter removed from service for any cause tested for accuracy prior to being placed into service?

Yes No N/A

Do the meters tested register within the accuracy limits specified in 807 KAR 5:066, Section 15 (2)(a)?

Yes No N/A

Section 16: Periodic Tests

Periodic Compliance Inspection

Is the utility testing all water meters so that no meter remains in service without testing for a period longer than specified by the table in 807 KAR, Section 16 (1)? Yes No N/A

Section 17: Water Shortage Response Plan

Has the utility submitted a copy of its Water Shortage Response Plan with the Commission? Yes No N/A

Section 18: Deviations from Administrative Regulation:

Has the utility been permitted by the commission to deviate from these administrative regulations? Yes No N/A

807 KAR 5:095 (Fire Protection Service for Water Utilities)

Section 9

Does the utility allow a utility to withdraw water from its distribution system for fire protection and training purposes at no charge? Yes No N/A

Does the utility require a fire department to submit quarterly reports demonstrating its water usage? Yes No N/A

Does the utility's tariff state the penalty to be assessed for failure to submit water usage reports? Yes No N/A

Periodic Compliance Inspection

Review of Facilities:

1.

Tank:

Capacity:

Condition:

2.

Tank:

Capacity:

Condition:

3.

Tank:

Capacity:

Condition:

4.

Pump Station:

Condition:

5.

Pump Station:

Condition:

6.

Pump Station:

Condition:

Periodic Compliance Inspection

Deficiency(ies)

- Farmdale Water District is not submitting its Quarterly Meter Reports as required by 807 KAR 5:006, Section 4(4).
- Utility is failing to operate its facilities so as to provide adequate and safe service to its customers as required by 807 KAR 5:066, Section 7, due to water loss exceeding 15 percent
- Utility did not have annual written inspection records as required by 807 KAR 5:006, Section 26 (6) (a), (6)(b), (6)(c)
- Utility did not have pressure charts that showed a continuous 24-hour pressure recording for one week per month as required by 807 KAR 5:066, section 5 (2)
- Utility is not keeping a record of interruptions to include the time, duration, remedy and steps taken to prevent recurrence as required by 807 KAR 5:066, section 4 (5)
- Utility has customers with one inch and smaller meters that have been in service for 10 years without being tested as required in 807 KAR 5:066 section 16 (1)
- Utility IS NOT INSTRUCTING THEIR EMPLOYEES WHO IN THE COURSE OF THEIR WORK, ARE SUBJECT TO THE HAZARD OF ELECTRICAL SHOCK, ASPHYXIATION, OR DROWNING, IN ACCEPTED METHODS OF ARTIFICIAL RESPIRATION. (CPR EXPIRED)
- Utility has not adopted and executed a safety program appropriate to the size and type of it's operations

Additional Inspector Comments

No CPR certifications. Trench safety training highly recommended as part of safety plan.

Utility is not receiving bad meters back from the testing company that is also their meter supplier.

Utility has still not completed Qualified Infrastructure Improvement Plan as ordered in Case No. 2019-00041

Comment: During this periodic regulatory compliance inspection, it was not possible to review/discuss every record relating to all Commission requirements. Therefore, in some instances the results contained in this report are indicative of those items inspected and reviewed on a sample basis.

Report by:

Date: 6/10/2022

Periodic Compliance Inspection

Taylor Stamper

Utility Inspector

Kentucky Public Service Commission

Attachment(s):

APPENDIX C

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00347 DATED NOV 07 2022

ONE PAGE TO FOLLOW

Farmdale Water Response to questions from Public Service Commission Letter dated July 5, 2022

1) Farmdale Water is not submitting its quarterly Meter Reports as required.

Have tested meters; do not have adequate staff on hand to do reports and repair the major water leaks we have incurred.

2) Utility is failing to operate its facilities so as to provide adequate and safe service to its customers.

Farmdale has dropped water loss from 50% to 30% since staff has changed. A project to replace old water lines to help with water breaks due to old lines.

3) Utility did not have annual written inspection records as required.

Farmdale had records of Tank Inspections wasn't able to locate during inspection

4) Utility did not have pressure charts that showed a continuous 24-hr pressure recording for one week per month as required.

Farmdale has started doing pressures check each month.

5) Utility is not keeping a record of interruptions to include the time, duration, remedy and steps taken to prevent recurrence.

Farmdale started records and keeping interruption records as of July 2022

6) Utility has customers with one inch and smaller meters that have been in service for 10 years without being tested.

Farmdale has been testing meters as stated in answer to question 1.

APPENDIX D

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00347 DATED NOV 07 2022

TWO PAGES TO FOLLOW

Mr. Taylor Stamper,

In response to the deficiencies to the June 10, 2022 periodic inspection Farmdale Water District offers the following explanation to as of why these deficiencies occurred and how they will be prevented in the future.

1. Farmdale Water District is not submitting its Quarterly Meter Reports as required by 807 KAR 5:006, Section 4(4).

As a new manager Farmdale Water District was unaware a meter report needed to be submitted since the District replaces meters at the end of its life in lieu of testing the meter. In the future the District will provide the Commission with a Quarterly Meter Report.

2. Utility is failing to operate its facilities so as to provide adequate and safe service to its customers as required by 807 KAR 5:066, Section 7, due to water loss exceeding 15 percent.

The District is working to reduce its water loss below 15%. The District actively searches for leaks daily and repairs any known leaks once they are located.

3. Utility did not have annual written inspection records as required by 807 KAR 5:006, Section 26 (6) (a), (6)(b), (6)(c).

The District performs a visual inspections of 807 KAR 5:006, Section 26 (6)(b) and (6)(c). However, the District has failed to document these inspections and will do so in the future.

4. Utility did not have pressure charts that showed a continuous 24-hour pressure recording for one week per month as required by 807 KAR 5:066, section 5 (2).

The District has started keeping pressure recordings.

5. Utility is not keeping a record of interruptions to include the time, duration, remedy and steps taken to prevent recurrence as required by 807 KAR 5:066, Section 4 (5).

The District has started keeping a line break log.

6. Utility has customers with one inch and smaller meters that have been in service for 10 years without being tested as required in 807 KAR 5:066 section 16 (1).

At the current time the District is changing out as many meters per month it can. Due to supply the District has had experienced problems in receiving meters to replace older meters.

7. Utility is not instructing their employees who in the course of their work. are subject to the hazard of electric, shock, asphyxiation, or drowning. in accepted methods of artificial respiration, (CPR expired).

The District has been in contact with Red Cross in order to obtain a CPR certification. At current time the District has not been given a date for instruction, but will forward the certification the Public Service Commission once employees receive their certification.

8. Utility has not adopted and executed a safety program appropriate to the size and type of its operations.

The District has a safety manual and does instruct its employees in safe methods of performing their work. However, no documentation of safety meetings was kept and going forward the District will keep a record of safety meetings monthly.

Jamie Roberts

Field Manager

*Farmdale Water District
100 Highwood Drive, Route 8
Frankfort, KY 40601

*Clifford Toles
Chairman
Farmdale Water District
100 Highwood Drive, Route 8
Frankfort, KY 40601

*Donald Morse
Farmdale Water District
100 Highwood Drive, Route 8
Frankfort, KY 40601

*Jamie Roberts
Farmdale Water District
100 Highwood Drive, Route 8
Frankfort, KY 40601

*Scottie Wooldridge
Farmdale Water District
100 Highwood Drive, Route 8
Frankfort, KY 40601

*Richard Tanner
Farmdale Water District
100 Highwood Drive, Route 8
Frankfort, KY 40601