

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF POSSIBLE	)	
VACANCY ON THE BOARD OF	)	CASE NO.
COMMISSIONERS OF COLUMBIA/ADAIR	)	2023-00019
UTILITIES DISTRICT	)	

ORDER

This proceeding was initiated to determine whether a vacancy exists on the Board of Commissioners of Columbia/Adair Utilities District (Columbia/Adair District). On March 31, 2023, the Commission issued an Order finding that a vacancy did exist as of December 14, 2022, for the remainder of Mr. Joe Pyles’s term, that the vacancy had not been filled, and that pursuant to KRS 74.020(4), the Commission is authorized to fill the vacancy for the remainder of the four year term, which expires on July 31, 2024, because the vacancy has existed for longer than 90 days.

On April 6, 2023, Columbia/Adair District, pursuant to a Commission Order, published notice of the vacancy in the *Adair Progress* directing those interested in the position to apply with the Commission within 20 days. The Commission received eight applications within 20 days of the publication for the position. Having interviewed the applicants and being otherwise sufficiently advised, the Commission, by this Order, appoints Benjamin Loy to fill the vacant seat.

Mr. Loy is a life-long resident of Adair County, Kentucky. He is a graduate of Western Kentucky University. Mr. Loy has previously served on the Adair County Cattlemen Association and District Extension Board, and is currently serving on the State

Extension Council, the Adair County Agriculture Development Board, and the Adair Agricultural Advisory Council.

In making our selection, the Commission must consider the totality of the circumstances, including the education, business and management experience, and personal history of the proposed candidates, and the existing financial and operating condition of the water district.<sup>1</sup> Based upon our review of the evidence of record, and Mr. Loy's experience, we find that Mr. Loy is the best suited candidate and that there is no information to suggest that he is unqualified to serve in the designated position. We further find that Mr. Loy resides in Columbia/Adair District's territory; is of legal age; possesses adequate education, business skills, and experience to perform the duties of water district commissioner; and does not have any legal disability that would disqualify him from serving in the position.<sup>2</sup> Accordingly, the Commission finds that Mr. Loy should be appointed to fill the vacancy on Columbia/Adair District's Board of Commissioners identified in the March 21, 2023 Order.

IT IS THEREFORE ORDERED that:

1. Benjamin Loy is hereby appointed to fill the vacant seat on Columbia/Adair District's Board of Commissioners identified in the March 21, 2023 Order.
2. The term to which Benjamin Loy is being appointed shall expire on July 31, 2024.

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<sup>1</sup> See, e.g., Case No. 2012-00052, *Request to Fill Vacancies on Western Pulaski County Water District Board of Commissioners* (Ky. PSC Jan. 16, 2013).


<sup>2</sup> See, e.g., KRS 74.020(1)(a) ("Members of the board shall be residents of the district, or of any incorporated or unincorporated area served by the district in the county in which the district was originally established.").

3. The Executive Director shall serve a copy of this Order upon the Adair County Judge/Executive; the members of the Adair County Fiscal Court; the Columbia/Adair District's Board; Mike Robertson; Mike Newton; Michael Mitchum; Robin Adair; William Harris; Darrell Treece; and David Breeding.

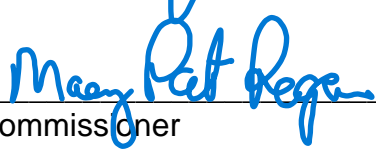
4. This proceeding is closed and removed from the Commission's docket.

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PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ENTERED  
OCT 04 2023  
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KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
Executive Director

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